

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

-----X
IN RE PLATINUM AND PALLADIUM COMMODITIES
LITIGATION

Notice of Appeal

10 cv 3617 (WHP)

THIS DOCUMENT RELATES TO ALL ACTIONS

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NOTICE IS HEREBY GIVEN that Plaintiff-Intervener Susan Levy in the above-named case hereby appeals to the United States Court of Appeals for Second Circuit from the Order granting Preliminary Approval of the Class Action Settlement and denying Plaintiff-Intervener Susan Levy's motion to intervene as of right or by permission entered in this action on the 15th Day of July, 2014.

Ms. Levy appeals from each and every relevant portion of the Final Order denying her right to intervene as a Class Member and appeals from the Order *inter alia* on the grounds that: (1) Under the Fifth Amended Complaint, no Long Platinum holders who traded in the Net Loss Periods are Class representatives who will stand to recover any damages under the Plan of Allocation rendering the Settlement deficient and requiring intervention on behalf of the Net Loss Subclass, (2) Because the alleged Sixth Amended Complaint has never been filed and/or published on the Docket Sheet for the Southern District of New York, there appears to be no Long Platinum Class Representatives in the NL period who are recovering under the Plan of Allocation also rendering the settlement a nullity *ab initio*, and (2) The recovery to the Net Loss Sub-class members of 1.2% of the gross recovery is too low to pass muster which will be further diminished when attorneys fees are also deducted, and Ms. Levy wishes to intervene on behalf of

the NL subclass that is being discriminated against by only receiving 10% of the gross proceeds of the settlement, whereas the other sub class in the Net Artificiality Period or ("NAP") subclass will stand to receive 90% of the settlement proceeds, thus demonstrating discrimination and subordination of the NL subclass. Both subclasses should be treated with parity.

/s/ Susan Levy, Esq.



Attorney for Plaintiff Pro Se

Susan Levy, Esq.

40 East 10th Street

Suite 2K

New York, New York 10003

Tel: (212) 962-1782

Fax: (212) 962-3711

STAYED, APPEAL, ECF, LEAD

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:10-cv-03617-WHP**

In Re: Platinum and Palladium Commodities Litigation
Assigned to: Judge William H. Pauley, III
Demand: \$5,000,000

Related Cases: [1:10-cv-04232-WHP](#)
[1:10-cv-03634-WHP](#)
[1:10-cv-04273-WHP](#)
[1:13-cv-01858-WHP](#)
[1:10-cv-04630-WHP](#)
[1:12-cv-01873-WHP](#)

Date Filed: 04/30/2010
Jury Demand: Plaintiff
Nature of Suit: 850
Securities/Commodities
Jurisdiction: Federal Question

Cause: 7:25 Fraud – Commodities Leverage Contracts

Plaintiff

Gregory Galan

represented by **Christopher Lovell**
Lovell Stewart Halebian Jacobson LLP
61 Broadway
Suite 501
New York, NY 10006
(212) 608-1900
Fax: (212) 719-4775
Email: clovell@lshllp.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christopher Michael McGrath
Lovell Stewart Halebian Jacobson LLP
61 Broadway
Suite 501
New York, NY 10006
(212)-608-1900
Fax: (212)-719-4775
Email: cmcgrath@lshllp.com
ATTORNEY TO BE NOTICED

Ian Trevor Stoll
Lovell Stewart Halebian Jacobson LLP
61 Broadway
Suite 501
New York, NY 10006
(212)-608-1900
Fax: (212)-719-4775
Email: istoll@lshllp.com
ATTORNEY TO BE NOTICED

James R Hail
Doyle Lowther LLP
9466 Black Mountain Rd
Suite 210
San Diego, CA 92126
619/573-1700
Fax: 619/573-1701
Email: jim@doylelowther.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

John Allen Lowther
Doyle Lowther LLP
9466 Black Mountain Road

Suite 210
San Diego, CA 92126
(619) 573-1700
Fax: (619) 573-1701
Email: john@doylelowther.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Gregory Galan

represented by **Christopher Lovell**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Benjamin Martin Jaccarino
Lovell Stewart Halebian Jacobson LLP
61 Broadway
Suite 501
New York, NY 10006
(212)-608-1900
Fax: (212)-719-4775
Email: bjaccarino@lshllp.com
ATTORNEY TO BE NOTICED

Christopher Michael McGrath
(See above for address)
ATTORNEY TO BE NOTICED

Ian Trevor Stoll
(See above for address)
ATTORNEY TO BE NOTICED

James R Hail
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

John Allen Lowther
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

F.W. DeVito, Inc.

represented by **Christopher J. Gray**
Law Office of Christopher J. Gray, P.C
460 Park Avenue 21st Floor
New York, NY 10022
(212) 838-3221
Fax: (212) 508-3695
Email: gray@cjgraylaw.com
ATTORNEY TO BE NOTICED

James R Hail
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

John Allen Lowther
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Loren Kieve
Kieve Law Office

5A Funston Avenue
The Presidio of San Francisco
San Francisco, CA 94129-1110
415-364-0060
Email: lk@kivelaw.com
ATTORNEY TO BE NOTICED

Louis Fox Burke
Louis F. Burke PC
460 Park Avenue
New York, NY 10022
212-682-1700
Fax: 212-808-4280
Email: lburke@lfbllaw.com
ATTORNEY TO BE NOTICED

William J. Doyle , II
Doyle Lowther LLP
10200 Willow Creek Rd, Ste 150
San Diego, CA 92101
858-935-9960
Fax: 858-939-1939
Email: bill@doylelowther.com
ATTORNEY TO BE NOTICED

Plaintiff

David W. DeVito

represented by **Christopher J. Gray**
(See above for address)
ATTORNEY TO BE NOTICED

James R Hail
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

John Allen Lowther
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Loren Kieve
(See above for address)
ATTORNEY TO BE NOTICED

Louis Fox Burke
(See above for address)
ATTORNEY TO BE NOTICED

William J. Doyle , II
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Mary T. DeVito

represented by **Christopher J. Gray**
(See above for address)
ATTORNEY TO BE NOTICED

James R Hail
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

John Allen Lowther
(See above for address)

Louis Fox Burke
(See above for address)
ATTORNEY TO BE NOTICED

represented by **Christopher Lovell**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Allen Lowther
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

represented by **Christopher Lovell**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Allen Lowther
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

represented by **Christopher Lovell**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Benjamin Martin Jaccarino
(See above for address)
ATTORNEY TO BE NOTICED

Christopher Michael McGrath
(See above for address)
ATTORNEY TO BE NOTICED

Ian Trevor Stoll
(See above for address)
ATTORNEY TO BE NOTICED

John Allen Lowther
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

V.

Defendant

Moore Capital Management, LP

represented by **David Mitchell Zensky**
Akin Gump Strauss Hauer &Feld (1
Battery Pk.)
One Bryant Park
New York, NY 10036
(212)–872–1000
Fax: (212)–872–1002
Email: dzensky@akingump.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James Anthony Diehl
Akin Gump Strauss Hauer &Feld LLP
(NYC)
One Bryant Park
New York, NY 10036
212.872.8054
Fax: 212.872.8204
Email: jdiehl@akingump.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Brady Dugan
Akin, Gump, Strauss, Hauer &Feld, LLP
(DC)
Robert S. Strauss Building
1333 New Hampshire Avenue, N.W.
Washington, DC 20036
(202)–887–4000
Fax: (202)–887–4288
Email: bdugan@akingump.com
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Michael A. Asaro
Akin Gump Strauss Hauer &Feld LLP
(NYC)
One Bryant Park
New York, NY 10036
(212)–872–8100
Fax: (212)–872–1002
Email: masaro@akingump.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Peter Ian Altman

Akin Gump Strauss Hauer &Feld (1
Battery Pk.)
One Bryant Park
New York, NY 10036
(212)–872–1000
Fax: (212)–872–1002
Email: paltman@akingump.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Paul Buck Hewitt
Akin, Gump, Strauss, Hauer &Feld, LLP
(DC)
Robert S. Strauss Building
1333 New Hampshire Avenue, N.W.
Washington, DC 20036
(202)–887–4000
Fax: (202)–887–4288
Email: phewitt@akingump.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Defendant

Moore Capital Advisors, LLC

represented by **David Mitchell Zensky**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James Anthony Diehl
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Brady Dugan
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Michael A. Asaro
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Peter Ian Altman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Paul Buck Hewitt
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Defendant

Moore Advisors, Ltd.

represented by **David Mitchell Zensky**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James Anthony Diehl
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Brady Dugan
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Michael A. Asaro
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Peter Ian Altman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Paul Buck Hewitt
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Defendant

John Does 1–10

Defendant

Moore Capital Management, LLC

represented by **David Mitchell Zensky**
(See above for address)
ATTORNEY TO BE NOTICED

James Anthony Diehl
(See above for address)
ATTORNEY TO BE NOTICED

John Brady Dugan
(See above for address)
ATTORNEY TO BE NOTICED

Paul Buck Hewitt
(See above for address)
ATTORNEY TO BE NOTICED

Peter Ian Altman
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

World Trade Futures, Inc.

Defendant

Alan Kleinstein

Defendant

Dominick Terrone

Defendant

John Sakulich

Defendant

Frederick Ferriola

Defendant

Richard Trifoglio

Defendant

Peter Venus

Defendant

Lauren Ladd

Defendant

Joseph Hollschultz

Defendant

Toni Celli

Defendant

Anthony Monti

Defendant

Steven Farrell

Defendant

Rocky Esposito

Defendant

Lawrence Favuzza

V.

Consolidated Defendant

Christopher Pia

represented by **David Mitchell Zensky**
(See above for address)
ATTORNEY TO BE NOTICED

Jade Anne Burns
Kramer Levin Naftalis &Frankel, LLP
1177 Avenue of the Americas
New York, NY 10036
(212)–715–9209
Fax: (212)–715–8084
Email: jburns@kramerlevin.com
ATTORNEY TO BE NOTICED

James Anthony Diehl
(See above for address)
ATTORNEY TO BE NOTICED

Jennifer Louise Rochon
Kramer Levin Naftalis &Frankel, LLP
1177 Avenue of the Americas
New York, NY 10036
212–715–9120
Fax: 212–715–8000
Email: jrochon@kramerlevin.com
TERMINATED: 10/01/2013

Kerriann Law
Kramer Levin Naftalis &Frankel, LLP

Moore Macro Fund, LP

represented by **David Mitchell Zensky**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James Anthony Diehl
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael A. Asaro
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Brady Dugan
(See above for address)
ATTORNEY TO BE NOTICED

Paul Buck Hewitt
(See above for address)
ATTORNEY TO BE NOTICED

Peter Ian Altman
(See above for address)
ATTORNEY TO BE NOTICED

Moore Global Fixed Income Master Fund, LP

represented by **David Mitchell Zensky**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James Anthony Diehl
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael A. Asaro
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Brady Dugan
(See above for address)
ATTORNEY TO BE NOTICED

Paul Buck Hewitt
(See above for address)
ATTORNEY TO BE NOTICED

Peter Ian Altman
(See above for address)
ATTORNEY TO BE NOTICED

Consolidated Defendant

MF Global, Inc.

represented by **Christopher Patrick Greeley**
Herrick, Feinstein LLP
2 Park Avenue
New York, NY 10016
(212)-592-1426
Fax: (212)-545-3346
Email: cgreeley@herrick.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lisamarie Frances Collins
Herrick, Feinstein LLP
2 Park Avenue
New York, NY 10016
(212) 592-5933
Fax: (212) 592-1500
Email: lcollins@herrick.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ross Lawrence Hirsch
Herrick, Feinstein LLP
2 Park Avenue
New York, NY 10016
(212) 592-5961
Fax: (212) 545-2330
Email: rhirsch@herrick.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Therese Marie Doherty
Herrick, Feinstein LLP
2 Park Avenue
New York, NY 10016
212-592-1400
Fax: 212-592-1500
Email: tdoherty@herrick.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David Mitchell Zensky
(See above for address)
ATTORNEY TO BE NOTICED

James Anthony Diehl
(See above for address)
ATTORNEY TO BE NOTICED

Consolidated Defendant

Louis Bacon

represented by **David Mitchell Zensky**
(See above for address)
ATTORNEY TO BE NOTICED

James Anthony Diehl
(See above for address)
ATTORNEY TO BE NOTICED

Paul Buck Hewitt
(See above for address)
ATTORNEY TO BE NOTICED

Peter Ian Altman
(See above for address)

Eugene Burger

represented by **Jesse Lee Jensen**
Hughes Hubbard & Reed LLP (NY)
One Battery Park Plaza
New York, NY 10004
(212)–837–6828
Fax: (212)–299–6828
Email: jensen@hugheshubbard.com
ATTORNEY TO BE NOTICED

Marc Alan Weinstein
U.S. Attorney's Office, SDNY (St Andw's)
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2547
Fax: (212) 637-0083
Email: weinstei@hugheshubbard.com
ATTORNEY TO BE NOTICED

Joseph Welsh

represented by **Michael Sangyun Kim**
Kobre & Kim LLP
800 Third Avenue
6th Floor
New York, NY 10022
(212) 488-1201
Fax: (212) 488-1220
Email: michael.kim@kobrekim.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Andrew C. Lourie
Kobre & Kim, LLP (DC)
1919 M Street, N.W.
Suite 410
Washington, DC 20036
(202)–664–1900
Fax: (202)–664–1927
Email: andrew.lourie@kobrekim.com
ATTORNEY TO BE NOTICED

Leanne A. Bortner
Kobre & Kim, LLP (DC)
1919 M Street, N.W.
Suite 410
Washington, DC 20036
(202)–664–1935
Fax: (202)–664–1920
Email: leanne.bortner@kobrekim.com
ATTORNEY TO BE NOTICED

Zaharah Rachel Markoe
Kobre & Kim LLP
800 Third Avenue
6th Floor
New York, NY 10022
(212)-488-1233
Fax: (212)-488-1220
Email: zaharah.markoe@kobrekim.com
ATTORNEY TO BE NOTICED

Michael Dell'Angelo

Berger &Montague, P.C.
1622 Locust Street
Philadelphia, PA 19103
(215) 875-3080
Fax: (215)-875-4604
Email: mdellangelo@bm.net
PRO HAC VICE
ATTORNEY TO BE NOTICED

Intervenor

Paradigm Global Fund I Ltd.
TERMINATED: 07/15/2014

represented by **Andrew J Entwistle**
(See above for address)
ATTORNEY TO BE NOTICED

Joshua Killion Porter
(See above for address)
ATTORNEY TO BE NOTICED

Michael Dell'Angelo
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Intervenor

Paradigm Equities Ltd.
TERMINATED: 07/15/2014

represented by **Andrew J Entwistle**
(See above for address)
ATTORNEY TO BE NOTICED

Joshua Killion Porter
(See above for address)
ATTORNEY TO BE NOTICED

Michael Dell'Angelo
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Intervenor

Paradigm Asia Fund Ltd.
TERMINATED: 07/15/2014

represented by **Andrew J Entwistle**
(See above for address)
ATTORNEY TO BE NOTICED

Joshua Killion Porter
(See above for address)
ATTORNEY TO BE NOTICED

Michael Dell'Angelo
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Intervenor

Kay P. Tee, LLC

represented by **Merrill G Davidoff**
Berger & Montague, P.C
1622 Locust Street
Philadelphia, PA 19103
(215)–875–3084
Fax: (215)–875–4671
Email: mdavidoff@bm.net
ATTORNEY TO BE NOTICED

Michael Dell'Angelo

represented by **Merrill G Davidoff**
(See above for address)
ATTORNEY TO BE NOTICED

Michael Dell'Angelo
(See above for address)
ATTORNEY TO BE NOTICED

represented by **Merrill G Davidoff**
(See above for address)
ATTORNEY TO BE NOTICED

Michael Dell'Angelo
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

represented by **Merrill G Davidoff**
(See above for address)
ATTORNEY TO BE NOTICED

Michael Dell'Angelo
(See above for address)
ATTORNEY TO BE NOTICED

represented by **Michael Dell'Angelo**
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

represented by **Michael Dell'Angelo**
(See above for address)
ATTORNEY TO BE NOTICED

represented by **Michael Dell'Angelo**
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

represented by **Michael Dell'Angelo**
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

represented by **Michael Dell'Angelo**
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/30/2010	<u>1</u>	COMPLAINT against Moore Capital Advisors, LLC, Moore Advisors, Ltd., John Does 1–10, Moore Capital Management, LP. (Filing Fee \$ 350.00, Receipt Number 902373) Document filed by Greg Galen(Individually), Greg Galen(on behalf of all others similarly situated).(ama) (Entered: 05/04/2010)
04/30/2010		SUMMONS ISSUED as to Moore Capital Advisors, LLC, Moore Advisors, Ltd., John Does 1–10, Moore Capital Management, LP. (ama) (Entered: 05/04/2010)
04/30/2010		Magistrate Judge Theodore H. Katz is so designated. (ama) (Entered: 05/04/2010)
04/30/2010		Case Designated ECF. (ama) (Entered: 05/04/2010)
05/04/2010	<u>2</u>	SUMMONS RETURNED EXECUTED. Moore Capital Advisors, LLC served on 5/4/2010, answer due 5/25/2010. Service was accepted by Patrick J. Fricky. Document filed by Greg Galen(on behalf of all others similarly situated). (Lovell, Christopher) (Entered: 05/04/2010)
05/04/2010	<u>3</u>	SUMMONS RETURNED EXECUTED. Moore Capital Management, LP served on 5/4/2010, answer due 5/25/2010. Service was accepted by Patrick J. Fricky. Document filed by Greg Galen(on behalf of all others similarly situated). (Lovell, Christopher) (Entered: 05/04/2010)
05/10/2010	<u>4</u>	SUMMONS RETURNED EXECUTED. Moore Advisors, Ltd. served on 5/10/2010, answer due 6/1/2010. Service was accepted by Mark Hannafey. Document filed by Greg Galen(on behalf of all others similarly situated). (Lovell, Christopher) (Entered: 05/10/2010)
05/10/2010	<u>5</u>	ORDER FOR INITIAL PRETRIAL CONFERENCE: Initial Conference set for 7/23/2010 at 12:30 PM in Courtroom 11D, 500 Pearl Street, New York, NY 10007 before Judge William H. Pauley III. (Signed by Judge William H. Pauley, III on 5/10/2010) Copies Mailed By Chambers.(jfe) (Entered: 05/11/2010)
06/01/2010	<u>6</u>	ENDORSED LETTER addressed to Judge William H. Pauley III from David M. Zensky dated 5/24/2010 re: We respectfully submit this letter to request a pre–motion conference, and to summarize the grounds for Moore's anticipated motion to dismiss as follows. ENDORSEMENT: Application granted. This Court will hold a pre–motion conference on June 24, 2010 at 11:30 a.m. SO ORDERED. (Pre–Motion Conference set for 6/24/2010 at 11:30 AM before Judge William H. Pauley III.) (Signed by Judge William H. Pauley, III on 6/1/2010) (jmi) (Entered: 06/02/2010)
06/14/2010	<u>7</u>	ENDORSED LETTER addressed to Judge William H. Pauley III from David M. Zensky dated 6/9/2010 re: We represent defendants Moore Capital Management, LP, Moore Capital Advisors, LLC, and Moore Advisors, Ltd. (collectively, "Moore") in the above–referenced actions. On June 1, 2010, Judge Pauley scheduled a pre–motion conference in the above–captioned Galen and White actions for Thursday, June 24, 2010 at 11:30 a.m. I am unable to attend due to a family commitment and pursuant to Judge Pauley's Individual Practices respectfully request an adjournment of the conference. ENDORSEMENT: Application granted. This Court will hold an initial pre–trial conference on June 30, 2010 at 11:00am for the above–reference actions. At that time this Court will also address Plaintiffs request to move for consolidation and Defendants request to move to Dismiss. SO ORDERED. (Initial Pretrial Conference set for 6/30/2010 at 11:00 AM before Judge William H. Pauley III.) (Signed by Judge William H. Pauley, III on 6/14/2010) (jmi) (Entered: 06/15/2010)
06/23/2010	<u>8</u>	RULE 26(f) DISCOVERY PLAN REPORT.Document filed by Greg Galen(on behalf of all others similarly situated).(Lovell, Christopher) (Entered: 06/23/2010)
06/23/2010	<u>9</u>	CERTIFICATE OF SERVICE of Joint Rule 26(f) Report. Document filed by Greg Galen(on behalf of all others similarly situated). (Lovell, Christopher) (Entered: 06/23/2010)
06/25/2010	<u>10</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Document filed by Moore Capital Advisors, LLC, Moore Advisors, Ltd., Moore Capital Management,

		LP.(Zensky, David) (Entered: 06/25/2010)
06/25/2010	<u>11</u>	NOTICE OF APPEARANCE by David M. Zensky on behalf of Moore Capital Advisors, LLC, Moore Advisors, Ltd., Moore Capital Management, LP (Zensky, David) (Entered: 06/25/2010)
06/25/2010	<u>12</u>	NOTICE OF APPEARANCE by James Anthony Diehl on behalf of Moore Capital Advisors, LLC, Moore Advisors, Ltd., Moore Capital Management, LP (Diehl, James) (Entered: 06/25/2010)
06/25/2010	<u>13</u>	NOTICE OF APPEARANCE by Peter Ian Altman on behalf of Moore Capital Advisors, LLC, Moore Advisors, Ltd., Moore Capital Management, LP (Altman, Peter) (Entered: 06/25/2010)
06/25/2010	<u>15</u>	MOTION for Paul B. Hewitt to Appear Pro Hac Vice. Document filed by Moore Capital Advisors, LLC, Moore Advisors, Ltd., Moore Capital Management, LP.(mro) (Entered: 06/29/2010)
06/25/2010	<u>16</u>	MOTION for John Brady Dugan to Appear Pro Hac Vice. Document filed by Moore Capital Advisors, LLC, Moore Advisors, Ltd., Moore Capital Management, LP.(mbe) (Entered: 06/29/2010)
06/28/2010	<u>14</u>	NOTICE OF CHANGE OF ADDRESS by Peter Ian Altman on behalf of Moore Capital Advisors, LLC, Moore Advisors, Ltd., Moore Capital Management, LP. New Address: Akin Gump Strauss Hauer &Feld LLP, One Bryant Park, New York, New York, 10036, 212-872-1000. (Altman, Peter) (Entered: 06/28/2010)
06/30/2010		CASHIERS OFFICE REMARK on <u>16</u> Motion to Appear Pro Hac Vice, <u>15</u> Motion to Appear Pro Hac Vice in the amount of \$50.00, paid on 06/25/2010, Receipt Number 907497. (jd) (Entered: 06/30/2010)
07/16/2010	17	TRANSCRIPT of proceedings held on June 30, 2010 11:00 a.m. before Judge William H. Pauley, III. (ajc) (Entered: 07/16/2010)
07/16/2010	19	TRANSCRIPT of proceedings held on June 30, 2010 at 11:00 am before Judge William H. Pauley, III. (eef) (Entered: 07/21/2010)
07/20/2010	<u>18</u>	PRE-TRIAL ORDER The following actions are hereby consolidated for all purposes pursuant to Rule 42(a) of the Federal Rules of Civil Procedure: Greg Galen v. Moore Capital Management, L.P., et. al., Case No. 10 Civ. 3617 (WHP); Richard White v. Moore Capital Management, L.P., et. al., Case No. 10 Civ. 3634 (WHP); Keith Kornell v. Moore Capital Management, L.P., et. al., Case No. 10 Civ. 4232 (WHP); and Lawrence Waxman v. Moore Capital Management, L.P., et. al., Case No. 10 Civ. 4273 (WHP) (collectively the "Platinum/Palladium Futures Action") as set forth in this order. Moore Capital Advisors, LLC answer due 9/3/2010; Moore Advisors, Ltd. answer due 9/3/2010; Moore Capital Management, LP answer due 9/3/2010; Christopher Pia answer due 9/3/2010; Christopher Piazza answer due 9/3/2010; Lawrence Waxman answer due 9/3/2010; Moore Capital Management, L.P. answer due 9/3/2010.(Amended Pleadings due by 8/3/2010., Replies due by 10/18/2010., Responses due by 10/4/2010, Oral Argument set for 11/19/2010 at 11:00 AM before Judge William H. Pauley III.) (Signed by Judge William H. Pauley, III on 7/20/2010) Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP(jmi) (Entered: 07/21/2010)
07/23/2010	<u>20</u>	ORDER granting <u>15</u> Motion for Paul B. Hewitt to Appear Pro Hac Vice for Moore Capital Advisors, LLC, Moore Advisors, Ltd., Moore Capital Management, LP. (Signed by Judge William H. Pauley, III on 7/23/2010) (jmi) (Entered: 07/26/2010)
07/23/2010	<u>21</u>	ORDER granting <u>16</u> Motion for John Brady Dugan to Appear Pro Hac Vice for John Brady Dugan to Appear Pro Hac Vice. Document filed by Moore Capital Advisors, LLC, Moore Advisors, Ltd., Moore Capital Management, LP. (Signed by Judge William H. Pauley, III on 7/23/2010) (jmi) (Entered: 07/26/2010)
08/04/2010	<u>22</u>	CONSOLIDATED CLASS ACTION COMPLAINT amending <u>1</u> Complaint, against John Does 1-10, Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LP, Christopher Pia, Moore Macro Fund, LP, Moore Global Fixed Income Master Fund, LP, MF Global, Inc. with JURY

		DEMAND. Document filed by Greg Galen(Individually), Greg Galen(on behalf of all others similarly situated), Lawrence Waxman, Richard White, Keith Kornell. Related document: <u>1</u> Complaint, filed by Greg Galen. (Received in the night deposit box on 8/4/10 at 12:03am)(mro) (ama). (Entered: 08/04/2010)
08/06/2010	<u>23</u>	NOTICE OF APPEARANCE by Benjamin Martin Jaccarino on behalf of Greg Galen(on behalf of all others similarly situated), Keith Kornell, Lawrence Waxman, Richard White (Jaccarino, Benjamin) (Entered: 08/06/2010)
08/06/2010	<u>24</u>	CERTIFICATE OF SERVICE of Notice of Appearance. Document filed by Greg Galen(on behalf of all others similarly situated), Keith Kornell, Lawrence Waxman, Richard White. (Jaccarino, Benjamin) (Entered: 08/06/2010)
08/10/2010	<u>25</u>	FIRST AMENDED COMPLAINT amending <u>1</u> Complaint, against John Does 1-10, MF Global, Inc., Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP, Christopher Pia with JURY DEMAND. Document filed by F.W. DeVito, Inc., David W. DeVito, Mary T. DeVito, Frederick W. DeVito, Russell W. Andrews. Related document: <u>1</u> Complaint, filed by Greg Galen.(mro) (mro). (Entered: 08/11/2010)
08/12/2010	<u>26</u>	SCHEDULING ORDER: The parties are directed to appear for a conference on August 20, 2010 at 12:30 p.m. The deadline for filing Defendants' motion to stay discovery is adjourned until after the conference. (Status Conference set for 8/20/2010 at 12:30 PM before Judge William H. Pauley III). (Signed by Judge William H. Pauley, III on 8/12/10); (dj) (Entered: 08/12/2010)
08/12/2010	<u>32</u>	SCHEDULING ORDER: The parties are directed to appear for a conference on August 20, 2010 at 12:30 p.m. The deadline for filing Defendants' motion to stay discovery is adjourned until after the conference. (Status Conference set for 8/20/2010 at 12:30 PM before Judge William H. Pauley III). (Signed by Judge William H. Pauley, III on 8/12/10); (dj) Presiding Judge: Pauley III, William H. (Entered: 08/25/2010)
08/16/2010		***NOTE TO ATTORNEY TO E-MAIL PDF. Note to Attorney Christopher J. Gray for noncompliance with Section (14.3) of the S.D.N.Y. Electronic Case Filing Rules & Instructions. E-MAIL the PDF for Document <u>25</u> Amended Complaint, to: case_openings@nysd.uscourts.gov. (mro) (Entered: 08/16/2010)
08/18/2010	<u>27</u>	ENDORSED LETTER addressed to Judge William H. Pauley III from Christopher Lovell dated 8/18/2010 re: Requesting an adjournment of the conference currently scheduled for August 20, 2010. ENDORSEMENT: Application granted. The conference is adjourned until September 14, 2010 at 11: 00 am. (Signed by Judge William H. Pauley, III on 8/18/2010) (jpo) (Entered: 08/18/2010)
08/18/2010		Set Deadlines/Hearings: Status Conference set for 9/14/2010 at 11:00 AM before Judge William H. Pauley III. (dj) (Entered: 08/25/2010)
08/23/2010	<u>28</u>	AMENDED SCHEDULING ORDER: Defendants shall file and serve their motion to stay discovery, in a single brief not exceeding 25 pages, by August 26, 2010; Plaintiffs shall file and serve their opposition, in a single brief not exceeding 25 pages, by September 14, 2010; and Defendants shall file and serve any reply, in a single brief not exceeding 10 pages, by September 27, 2010. (Signed by Judge William H. Pauley, III on 8/23/2010) Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP(jpo) (Entered: 08/23/2010)
08/24/2010	<u>29</u>	SUMMONS RETURNED EXECUTED. MF Global, Inc. served on 8/24/2010, answer due 9/14/2010. Service was accepted by Therese Doherty. Document filed by Keith Kornell; Lawrence Waxman; Richard White; Greg Galen(on behalf of all others similarly situated). (Lovell, Christopher) (Entered: 08/24/2010)
08/24/2010	<u>30</u>	SUMMONS RETURNED EXECUTED. Moore Macro Fund, LP served on 8/24/2010, answer due 9/14/2010. Service was accepted by David Zensky. Document filed by Keith Kornell; Lawrence Waxman; Richard White; Greg Galen(on behalf of all others similarly situated). (Lovell, Christopher) (Entered: 08/24/2010)

08/24/2010	<u>31</u>	SUMMONS RETURNED EXECUTED. Moore Global Fixed Income Master Fund, LP served on 8/24/2010, answer due 9/14/2010. Service was accepted by David Zensky. Document filed by Keith Kornell; Lawrence Waxman; Richard White; Greg Galen(on behalf of all others similarly situated). (Lovell, Christopher) (Entered: 08/24/2010)
08/26/2010	<u>33</u>	MOTION for Discovery <i>Motion for Stay of Discovery</i> . Document filed by Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP. (Attachments: # <u>1</u> Certificate of Service)(Zensky, David) (Entered: 08/26/2010)
08/26/2010	<u>34</u>	MEMORANDUM OF LAW in Support re: <u>33</u> MOTION for Discovery <i>Motion for Stay of Discovery</i> .. Document filed by Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP. (Attachments: # <u>1</u> Certificate of Service)(Zensky, David) (Entered: 08/26/2010)
08/26/2010	<u>35</u>	DECLARATION of Therese M. Doherty in Support re: <u>33</u> MOTION for Discovery <i>Motion for Stay of Discovery</i> .. Document filed by Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP. (Attachments: # <u>1</u> Certificate of Service)(Zensky, David) (Entered: 08/26/2010)
08/26/2010	<u>36</u>	DECLARATION of Patrick J. Finley in Support re: <u>33</u> MOTION for Discovery <i>Motion for Stay of Discovery</i> .. Document filed by Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP. (Attachments: # <u>1</u> Certificate of Service)(Zensky, David) (Entered: 08/26/2010)
09/03/2010	<u>37</u>	NOTICE OF APPEARANCE by Therese Marie Doherty on behalf of MF Global, Inc. (Doherty, Therese) (Entered: 09/03/2010)
09/03/2010	<u>38</u>	NOTICE OF APPEARANCE by Ross Lawrence Hirsch on behalf of MF Global, Inc. (Hirsch, Ross) (Entered: 09/03/2010)
09/03/2010	<u>39</u>	NOTICE OF APPEARANCE by Lisamarie Frances Collins on behalf of MF Global, Inc. (Collins, Lisamarie) (Entered: 09/03/2010)
09/03/2010	<u>40</u>	NOTICE OF APPEARANCE by Christopher Patrick Greeley on behalf of MF Global, Inc. (Greeley, Christopher) (Entered: 09/03/2010)
09/03/2010	<u>41</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying MF Global Holdings Ltd as Corporate Parent. Document filed by MF Global, Inc..(Doherty, Therese) (Entered: 09/03/2010)
09/14/2010	<u>42</u>	MEMORANDUM OF LAW in Opposition re: <u>33</u> MOTION for Discovery <i>Motion for Stay of Discovery</i> .. Document filed by Russell W. Andrews, David W. DeVito, Frederick W. DeVito, Mary T. DeVito, F.W. DeVito, Inc., Greg Galen(on behalf of all others similarly situated), Keith Kornell, Lawrence Waxman, Richard White. (Lovell, Christopher) (Entered: 09/14/2010)
09/14/2010	<u>43</u>	DECLARATION of Christopher M. McGrath in Opposition re: <u>33</u> MOTION for Discovery <i>Motion for Stay of Discovery</i> .. Document filed by Russell W. Andrews, David W. DeVito, Frederick W. DeVito, Mary T. DeVito, F.W. DeVito, Inc., Greg Galen(on behalf of all others similarly situated), Keith Kornell, Lawrence Waxman, Richard White. (Lovell, Christopher) (Entered: 09/14/2010)
09/14/2010	<u>44</u>	CERTIFICATE OF SERVICE of Memorandum in Opposition to Motion to Stay Discovery and Declaration of Christopher M. McGrath. Document filed by Russell W. Andrews, David W. DeVito, Frederick W. DeVito, Mary T. DeVito, F.W. DeVito, Inc., Greg Galen(on behalf of all others similarly situated), Keith Kornell, Lawrence Waxman, Richard White. (Lovell, Christopher) (Entered: 09/14/2010)
09/14/2010	<u>45</u>	ORDER: This Court's July 20,2010 Order (the "Consolidation Order"), Docket No. 18, is amended as follows: Pursuant to Fed. R. Civ. P. 42, F.W. DeVito Inc. Retirement Plan Trust v. Moore Capital Management, L.P., et al., 10 Civ. 4630 (WHP) is consolidated for all purposes with the four actions listed in paragraph 1 of the Consolidation Order. All five actions shall proceed as In re Platinum And

		Palladium Commodities Litigation, master docket number 10 Civ. 3617 (WHP). The remaining provisions of the Consolidation Order shall remain in effect as previously amended by prior orders. Amended Pleadings due by 9/30/2010. Motions due by 11/5/2010. Responses due by 12/17/2010, Replies due by 1/14/2011. Oral Argument set for 10/14/2010 at 11:00 AM before Judge William H. Pauley III. Oral Argument set for 2/4/2011 at 11:00 AM before Judge William H. Pauley III. (Signed by Judge William H. Pauley, III on 9/14/2010) Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP(jpo) Modified on 9/29/2010 (jpo). (Entered: 09/15/2010)
09/21/2010	<u>46</u>	TRANSCRIPT of proceedings held on 9/14/10 before Judge William H. Pauley, III. (pl) (Entered: 09/22/2010)
09/27/2010	<u>47</u>	AMENDED MOTION to Stay. Document filed by MF Global, Inc., Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP, Christopher Pia.(Diehl, James) (Entered: 09/27/2010)
09/27/2010	<u>48</u>	REPLY MEMORANDUM OF LAW in Support re: <u>47</u> AMENDED MOTION to Stay.. Document filed by MF Global, Inc., Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP, Christopher Pia. (Attachments: # <u>1</u> Certificate of Service)(Diehl, James) (Entered: 09/27/2010)
09/27/2010	<u>49</u>	DECLARATION of Therese M. Doherty in Support re: <u>47</u> AMENDED MOTION to Stay.. Document filed by MF Global, Inc., Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP, Christopher Pia. (Attachments: # <u>1</u> Certificate of Service)(Diehl, James) (Entered: 09/27/2010)
09/30/2010	<u>50</u>	CONSOLIDATED CLASS ACTION COMPLAINT against MF Global, Inc., Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP, Christopher Pia with JURY DEMAND.Document filed by Mary T. DeVito, Frederick W. DeVito, David W. DeVito, Greg Galen(Individually), Russell W. Andrews, Lawrence Waxman, F.W. DeVito, Inc., Richard White, Greg Galen(on behalf of all others similarly situated). (Received in the night deposit box on 9/30/10 at 11:42pm) ***This document relates to all actions.(mro) (Additional attachment(s) added on 2/17/2011: # <u>1</u> Cons. Class Action Comp. Part 2) (ama). (Entered: 10/01/2010)
10/04/2010		***NOTE TO ATTORNEY TO E-MAIL PDF. Note to Attorney William J. Doyle, II for noncompliance with Section (14.3) of the S.D.N.Y. Electronic Case Filing Rules &Instructions. E-MAIL the PDF for Document <u>50</u> Amended Complaint,, to: case_openings@nysd.uscourts.gov. (mro) (Entered: 10/04/2010)
10/15/2010	<u>51</u>	ORDER: Defendants are directed to provide Plaintiffs with any subpoenas served on Defendants by the United States Commodities Futures Trading Commission ("CFTC") in connection with the CFTC's investigation. Defendants shall also provide copies of those subpoenas to the Court. In addition, the page limits listed in subsections (4) and (5) of this Court's September 14, 2010 scheduling order are reduced from 45 to 40 pages. All other provisions of that order remain unchanged. (Signed by Judge William H. Pauley, III on 10/15/10) (laq) (Entered: 10/18/2010)
10/18/2010	<u>52</u>	NOTICE OF APPEARANCE by Jade Anne Burns on behalf of Christopher Pia (Burns, Jade) (Entered: 10/18/2010)
10/18/2010	<u>53</u>	NOTICE OF APPEARANCE by Jennifer Louise Rochon on behalf of Christopher Pia (Rochon, Jennifer) (Entered: 10/18/2010)
10/19/2010	<u>54</u>	TRANSCRIPT of proceedings held on 10/14/2010 before Judge William H. Pauley, III. (ab) (Entered: 10/21/2010)
11/05/2010	<u>55</u>	MOTION to Dismiss <i>Defendants' Motion to Strike and Dismiss the Second Amended Consolidated Complaint</i> . Document filed by MF Global, Inc., Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LP,

		Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP, Christopher Pia. (Attachments: # <u>1</u> Certificate of Service)(Zensky, David) (Entered: 11/05/2010)
11/05/2010	<u>56</u>	DECLARATION of David M. Zensky in Support re: <u>55</u> MOTION to Dismiss <i>Defendants' Motion to Strike and Dismiss the Second Amended Consolidated Complaint</i> .. Document filed by MF Global, Inc., Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP, Christopher Pia. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Certificate of Service)(Zensky, David) (Entered: 11/05/2010)
11/05/2010	<u>57</u>	MEMORANDUM OF LAW in Support re: <u>55</u> MOTION to Dismiss <i>Defendants' Motion to Strike and Dismiss the Second Amended Consolidated Complaint</i> .. Document filed by MF Global, Inc., Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP, Christopher Pia. (Attachments: # <u>1</u> Certificate of Service)(Zensky, David) (Entered: 11/05/2010)
11/08/2010	<u>58</u>	NOTICE of Constitutional Question. Document filed by MF Global, Inc., Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP, Christopher Pia. (Zensky, David) (Entered: 11/08/2010)
11/30/2010	<u>59</u>	ORDER: Accordingly, Defendants are directed to provide Plaintiffs with copies of the documents produced to the CFTC by January 7, 2011. Defendants may redact any personal employee information or proprietary trading information unrelated to the allegations in the Complaint. All other discovery is stayed pending this Court's decision on Defendants' motion to dismiss. The Clerk of the Court is directed to terminate the motions pending at Docket Nos. 33 and 47. (Signed by Judge William H. Pauley, III on 11/30/2010) Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP(jfe) (Entered: 11/30/2010)
12/13/2010	<u>60</u>	SUMMONS RETURNED EXECUTED. Moore Capital Management, LLC served on 12/6/2010, answer due 12/27/2010. Service was accepted by Scott Lascala. Document filed by Mary T. DeVito; Frederick W. DeVito; David W. DeVito; Russell W. Andrews; Keith Kornell; Lawrence Waxman; F.W. DeVito, Inc.; Richard White; Greg Galen(on behalf of all others similarly situated). (Lovell, Christopher) (Entered: 12/13/2010)
12/17/2010	<u>61</u>	RESPONSE in Opposition re: <u>55</u> MOTION to Dismiss <i>Defendants' Motion to Strike and Dismiss the Second Amended Consolidated Complaint</i> .. Document filed by Russell W. Andrews, David W. DeVito, Frederick W. DeVito, Mary T. DeVito, F.W. DeVito, Inc., Greg Galen(Individually), Greg Galen(on behalf of all others similarly situated), Keith Kornell, Lawrence Waxman, Richard White. (Attachments: # <u>1</u> Appendix Statutory Appendix)(Lovell, Christopher) (Entered: 12/17/2010)
12/20/2010	<u>62</u>	MEMORANDUM OF LAW in Opposition re: <u>55</u> MOTION to Dismiss <i>Defendants' Motion to Strike and Dismiss the Second Amended Consolidated Complaint. [Corrected Copy]</i> . Document filed by Russell W. Andrews, David W. DeVito, Frederick W. DeVito, Mary T. DeVito, F.W. DeVito, Inc., Greg Galen(on behalf of all others similarly situated), Keith Kornell, Lawrence Waxman, Richard White. (Attachments: # <u>1</u> Statutory Appendix, # <u>2</u> Certificate of Service)(Lovell, Christopher) (Entered: 12/20/2010)
01/05/2011	<u>63</u>	NOTICE OF APPEARANCE by Michael A. Asaro on behalf of Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP (Asaro, Michael) (Entered: 01/05/2011)
01/10/2011	<u>64</u>	CONFIDENTIALITY STIPULATION AND PROTECTIVE ORDER...regarding procedures to be followed that shall govern the handling of confidential material... (Signed by Judge William H. Pauley, III on 1/10/11) Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP(cd) (Entered: 01/11/2011)

01/14/2011	<u>65</u>	REPLY MEMORANDUM OF LAW in Support re: <u>55</u> MOTION to Dismiss <i>Defendants' Motion to Strike and Dismiss the Second Amended Consolidated Complaint</i> .. Document filed by MF Global, Inc., Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP, Christopher Pia. (Attachments: # <u>1</u> Appendix, # <u>2</u> Certificate of Service)(Zensky, David) (Entered: 01/14/2011)
02/17/2011	<u>68</u>	MOTION for John Lowther to Appear Pro Hac Vice. Document filed by Russell W. Andrews, David W. DeVito, Frederick W. DeVito, Mary T. DeVito, F.W. DeVito, Inc., Greg Galen(Individually), Greg Galen(on behalf of all others similarly situated), Keith Kornell, Lawrence Waxman, Richard White, F.W. Devito Inc. Retirement Plan Trust.Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-04630-WHP(mro) (Entered: 02/22/2011)
02/18/2011	66	TRANSCRIPT of proceedings held on February 4, 2011 before Judge William H. Pauley, III. (ama) (Entered: 02/18/2011)
02/21/2011	<u>67</u>	FILING ERROR – ELECTRONIC FILING FOR NON-ECF DOCUMENT – MOTION for Limited Admission Pro Hac Vice of John A. Lowther IV, Esq. Document filed by David W. DeVito.(Gray, Christopher) Modified on 2/22/2011 (ka). (Entered: 02/21/2011)
02/22/2011		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – NON-ECF DOCUMENT ERROR. Note to Attorney Christopher J. Gray to MANUALLY RE-FILE Document No. <u>67</u> Motion to Admit Counsel Pro Hac Vice. This document is not filed via ECF. (ka) (Entered: 02/22/2011)
02/25/2011		CASHIERS OFFICE REMARK on <u>68</u> Motion to Appear Pro Hac Vice, in the amount of \$25.00, paid on 02/17/2011, Receipt Number 929936. (jd) (Entered: 02/25/2011)
02/28/2011	<u>69</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION: granting <u>68</u> Motion for John A. Lowther to Appear Pro Hac Vice. So Ordered. (Signed by Judge William H. Pauley, III on 2/28/2011) (js) (Entered: 03/01/2011)
09/13/2011	<u>70</u>	MEMORANDUM AND ORDER. For the reasons in this memorandum and order, Defendants' motion to strike is granted in part and denied in part, and their motion to dismiss the Complaint for failure to state a claim is granted. Pursuant to Fed. R. Civ. P. 15, Plaintiffs are granted leave to replead their allegations in a manner consistent with this Memorandum and Order. The Clerk of the Court is directed terminate the motion pending at Docket No. 55. Granting in part and denying in part (55) Motion to Dismiss in case 1:10-cv-03617-WHP. (Signed by Judge William H. Pauley, III on 9/13/11) Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP(rjm) (Entered: 09/13/2011)
09/16/2011	<u>71</u>	SCHEDULING ORDER:the parties are directed to appear for a status conference on october 11, 2011 at 5:00 p.m. (Signed by Judge William H. Pauley, III on 9/16/2011) (js) (Entered: 09/19/2011)
09/30/2011	<u>72</u>	ENDORSED LETTER addressed to Judge William H Pauley from David Zensky dated 9/27/2011 re: Request for a premotion conference to file a motion for limited clarification of the Court's Order. ENDORSEMENT: Application denied. This Court's Memorandum & Order was clear. (Signed by Judge William H. Pauley, III on 9/30/2011) (cd) (Entered: 10/03/2011)
10/07/2011	<u>73</u>	NOTICE OF CHANGE OF ADDRESS by John Allen Lowther on behalf of All Plaintiffs. New Address: Doyle Lowther LLP, 10200 Willow Creek Road, Suite 150 10200 Willow Creek Road, San Diego, CA, United States 92131, 858-935-9960. (Lowther, John) (Entered: 10/07/2011)
10/12/2011	<u>74</u>	SCHEDULING ORDER: (1) Plaintiffs shall serve and file their amended complaint by November 1, 2011; (2) Defendants shall serve and file their response by December 8, 2011; (3) The parties shall submit letters to this Court regarding whether discovery should go forward or remain stayed by December 13, 2011; (4) If Defendants' response is a motion to dismiss, Plaintiffs shall serve and file their opposition by January 17, 2012; (5) If Defendants' response is a motion to dismiss, Defendants shall file any reply by February 7, 2012; and (6) The parties are

		directed to appear for a conference on December 16, 2011 at 10:00 a.m. Amended Pleadings due by 11/1/2011. Motions due by 12/8/2011. Responses due by 1/17/2012. Replies due by 2/7/2012. Status Conference set for 12/16/2011 at 10:00 AM before Judge William H. Pauley III. (Signed by Judge William H. Pauley, III on 10/12/11) Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP(rjm) (Entered: 10/13/2011)
11/01/2011	<u>78</u>	Letter addressed to Judge William H. Pauley III from Christopher Lovell dated 10/31/2011 re: Plaintiffs respectfully seek leave to file under seal the accompanying Third Amended Class Action Complaint ("TAC"). Document filed by Greg Galen(Individually), Greg Galen(on behalf of all others similarly situated).(lmb) Modified on 11/21/2011 (lmb). (Entered: 11/21/2011)
11/08/2011	<u>75</u>	SUGGESTION OF BANKRUPTCY upon the record. Document filed by MF Global, Inc.(Greeley, Christopher) (Entered: 11/08/2011)
11/16/2011	<u>79</u>	Letter addressed to Judge William H. Pauley III from Christopher Lovell dated 11/16/2011 re: I am writing this letter in order to inform the Court that all Defendants who have been served with the Third Consolidated Amended Complaint, except for Defendant MF Global, have informed Plaintiffs that the proposed redacted version of the Third Consolidated Amended Complaint submitted to the Court on October 31, 2011 complies with the Protective Order [Docket No. 64] such that no further redactions are required. Document filed by Greg Galen(Individually), Greg Galen(on behalf of all others similarly situated).(lmb) (Entered: 11/21/2011)
11/17/2011	<u>76</u>	TRANSCRIPT of Proceedings re: Conference held on 10/11/2011 before Judge William H. Pauley, III. Court Reporter/Transcriber: Steven Griffing, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/12/2011. Redacted Transcript Deadline set for 12/22/2011. Release of Transcript Restriction set for 2/18/2012. Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP(McGuirk, Kelly) (Entered: 11/17/2011)
11/17/2011	<u>77</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Conference proceeding held on 10/11/2011 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP(McGuirk, Kelly) (Entered: 11/17/2011)
11/21/2011	<u>80</u>	THIRD CONSOLIDATED AMENDED CLASS ACTION COMPLAINT against John Does 1-10, Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LLC, Moore Capital Management, LP with JURY DEMAND.Document filed by Mary T. DeVito, Frederick W. DeVito, David W. DeVito, Greg Galen(Individually), Russell W. Andrews, F.W. DeVito, Inc., Greg Galen(on behalf of all others similarly situated).(ft) (Additional attachment(s) added on 11/21/2011: # <u>1</u> Part 2) (ft). (Entered: 11/21/2011)
11/21/2011	<u>81</u>	MEMORANDUM AND ORDER: For the foregoing reasons, Plaintiffs' request for leave to file the Third Amended Complaint under seal is denied without prejudice. If Plaintiffs wish to renew their application to file the Third Amended Complaint under seal, they must submit a proposed public version that withholds only personal employee information and bona fide proprietary trade secrets by December 5, 2011. Otherwise, Plaintiffs are directed to file an unredacted version of the Complaint with the Clerk of the Court on December 6, 2011. (Signed by Judge William H. Pauley, III on 11/21/2011) Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP(jfe) (Entered: 11/21/2011)

12/02/2011	<u>82</u>	ENDORSED LETTER addressed to Judge William H Pauley from David M Zensky dated 11/29/2011 re: Request to modify scheduling conference or for a conference. ENDORSEMENT: The parties are directed to participate in a telephone conference with the Court on 12/7/2011, at 12:00 pm. The parties should organize the call through a conference call operator and provide the Court with dial-in information. (Telephone Conference set for 12/7/2011 at 12:00 PM before Judge William H. Pauley III.) (Signed by Judge William H. Pauley, III on 12/2/2011) (cd) (Entered: 12/05/2011)
12/05/2011	<u>83</u>	TRANSCRIPT of Proceedings re: Conference held on 10/11/2011 before Judge William H. Pauley, III. Court Reporter/Transcriber: Steven Griffing, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/29/2011. Redacted Transcript Deadline set for 1/8/2012. Release of Transcript Restriction set for 3/7/2012. Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP(McGuirk, Kelly) (Entered: 12/05/2011)
12/05/2011	<u>84</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Conference proceeding held on 10/11/11 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP(McGuirk, Kelly) (Entered: 12/05/2011)
12/07/2011		Minute Entry for proceedings held before Judge William H. Pauley, III: Scheduling Conference held on 12/7/2011. (mro) (Entered: 01/11/2012)
12/08/2011	<u>85</u>	SEALED DOCUMENT placed in vault.(mps) (Entered: 12/08/2011)
12/08/2011	<u>86</u>	THIRD CONSOLIDATED AMENDED CLASS ACTION COMPLAINT against MF Global, Inc., Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP, Christopher Pia, Lewis Bacon, Eugene Burger, Joseph Welsh with JURY DEMAND.Document filed by Mary T. DeVito, David W. DeVito, Greg Galen(Individually), Russell W. Andrews, F.W. DeVito, Inc., Richard White, Greg Galen(on behalf of all others similarly situated). ***This document relates to: All actions.(mro) (Entered: 12/13/2011)
12/13/2011	<u>87</u>	SUMMONS RETURNED EXECUTED. Lewis Bacon served on 12/8/2011, answer due 12/29/2011. Document filed by Greg Galen(on behalf of all others similarly situated). (Lovell, Christopher) (Entered: 12/13/2011)
12/13/2011	<u>88</u>	SUMMONS RETURNED EXECUTED. Eugene Burger served on 12/8/2011, answer due 12/29/2011. Document filed by Greg Galen(on behalf of all others similarly situated). (Lovell, Christopher) (Entered: 12/13/2011)
12/13/2011	<u>89</u>	SUMMONS RETURNED EXECUTED. Joseph Welsh served on 12/9/2011, answer due 12/30/2011. Service was accepted by Jennifer Welsh. Document filed by Greg Galen(on behalf of all others similarly situated). (Lovell, Christopher) (Entered: 12/13/2011)
12/16/2011	<u>90</u>	NOTICE OF APPEARANCE by Marc Alan Weinstein on behalf of Eugene Burger (Weinstein, Marc) (Entered: 12/16/2011)
12/16/2011	<u>91</u>	NOTICE OF APPEARANCE by Jesse Lee Jensen on behalf of Eugene Burger (Jensen, Jesse) (Entered: 12/16/2011)
12/16/2011		Minute Entry for proceedings held before Judge William H. Pauley, III: Scheduling Conference held on 12/16/2011. (mro) (Entered: 01/12/2012)
12/22/2011	<u>92</u>	CASE MANAGEMENT ORDER NO. 1: Motions due by 1/20/2012. Responses due by 2/28/2012 Replies due by 3/20/2012. Fact Discovery due by 12/31/2012.

		Oral Argument set for 4/27/2012 at 11:00 AM before Judge William H. Pauley III. Final Pretrial Conference set for 6/4/2013 at 10:00 AM before Judge William H. Pauley III. Pretrial Order due by 5/31/2013. (Signed by Judge William H. Pauley, III on 12/22/2011) Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP(cd) (Entered: 12/22/2011)
01/10/2012	<u>93</u>	SCHEDULING ORDER:Defendant Joseph Welsh's time to respond to the Third Amended Complaint is hereby extended until February 3, 2012. This Court will grant no further extensions. (Signed by Judge William H. Pauley, III on 1/9/2012) (mro) (Entered: 01/10/2012)
01/20/2012	<u>94</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Lewis Bacon, Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP.(Zensky, David) (Entered: 01/20/2012)
01/20/2012	<u>95</u>	NOTICE OF APPEARANCE by David Mitchell Zensky on behalf of Lewis Bacon, Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP (Zensky, David) (Entered: 01/20/2012)
01/20/2012	<u>96</u>	NOTICE OF APPEARANCE by James Anthony Diehl on behalf of Lewis Bacon, Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP (Diehl, James) (Entered: 01/20/2012)
01/20/2012	<u>97</u>	NOTICE OF APPEARANCE by Peter Ian Altman on behalf of Lewis Bacon, Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP (Altman, Peter) (Entered: 01/20/2012)
01/20/2012	<u>98</u>	MOTION to Dismiss <i>with Prejudice the Third Consolidated Amended Complaint</i> . Document filed by Lewis Bacon, Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP. (Attachments: # <u>1</u> Certificate of Service)(Zensky, David) (Entered: 01/20/2012)
01/20/2012	<u>99</u>	MEMORANDUM OF LAW in Support re: <u>98</u> MOTION to Dismiss <i>with Prejudice the Third Consolidated Amended Complaint</i> .. Document filed by Lewis Bacon, Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP. (Attachments: # <u>1</u> Certificate of Service)(Zensky, David) (Entered: 01/20/2012)
01/23/2012	<u>100</u>	NOTICE OF APPEARANCE by Paul Buck Hewitt on behalf of Lewis Bacon, Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP (Hewitt, Paul) (Entered: 01/23/2012)
01/23/2012	<u>101</u>	NOTICE OF APPEARANCE by John Brady Dugan on behalf of Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP (Dugan, John) (Entered: 01/23/2012)
02/02/2012	<u>102</u>	NOTICE OF APPEARANCE by Leanne A. Bortner on behalf of Joseph Welsh (Bortner, Leanne) (Entered: 02/02/2012)
02/02/2012	<u>103</u>	NOTICE OF APPEARANCE by Andrew C. Lourie on behalf of Joseph Welsh (Lourie, Andrew) (Entered: 02/02/2012)
02/02/2012	<u>104</u>	NOTICE OF APPEARANCE by Zaharah Rachel Markoe on behalf of Joseph Welsh (Markoe, Zaharah) (Entered: 02/02/2012)
02/02/2012	<u>105</u>	NOTICE OF APPEARANCE by Michael Sangyun Kim on behalf of Joseph Welsh (Kim, Michael) (Entered: 02/02/2012)

02/03/2012	<u>106</u>	MOTION to Dismiss <i>with Prejudice the Third Consolidated Amended Complaint</i> . Document filed by Joseph Welsh.(Kim, Michael) (Entered: 02/03/2012)
02/03/2012	<u>107</u>	MEMORANDUM OF LAW in Support re: <u>106</u> MOTION to Dismiss <i>with Prejudice the Third Consolidated Amended Complaint</i> .. Document filed by Joseph Welsh. (Attachments: # <u>1</u> Certificate of Service)(Kim, Michael) (Entered: 02/03/2012)
02/17/2012	<u>108</u>	ENDORSED LETTER addressed to Judge William H. Pauley III from Christopher Lovell dated 2/17/2012 re: Counsel for the plaintiff requests leave to file a single consolidated brief, not to exceed 55 pages. ENDORSEMENT: Application granted. (Signed by Judge William H. Pauley, III on 2/17/2012) (ft) (Entered: 02/17/2012)
02/28/2012	<u>109</u>	MEMORANDUM OF LAW in Opposition re: <u>106</u> MOTION to Dismiss <i>with Prejudice the Third Consolidated Amended Complaint</i> .. Document filed by Russell W. Andrews, David W. DeVito, Frederick W. DeVito, Mary T. DeVito, F.W. DeVito, Inc., Greg Galen(on behalf of all others similarly situated), Richard White. (Lovell, Christopher) (Entered: 02/28/2012)
02/28/2012	<u>110</u>	CERTIFICATE OF SERVICE. Document filed by Russell W. Andrews, David W. DeVito, Frederick W. DeVito, Mary T. DeVito, F.W. DeVito, Inc., Greg Galen(on behalf of all others similarly situated), Richard White. (Lovell, Christopher) (Entered: 02/28/2012)
02/29/2012	<u>111</u>	MEMORANDUM OF LAW in Opposition re: <u>106</u> MOTION to Dismiss <i>with Prejudice the Third Consolidated Amended Complaint</i> ., <u>98</u> MOTION to Dismiss <i>with Prejudice the Third Consolidated Amended Complaint</i> . <i>Corrected Copy</i> . Document filed by Russell W. Andrews, David W. DeVito, Frederick W. DeVito, Mary T. DeVito, F.W. DeVito, Inc., Greg Galen(on behalf of all others similarly situated), Richard White. (Lovell, Christopher) (Entered: 02/29/2012)
02/29/2012	<u>112</u>	CERTIFICATE OF SERVICE. Document filed by Russell W. Andrews, David W. DeVito, Frederick W. DeVito, Mary T. DeVito, F.W. DeVito, Inc., Greg Galen(on behalf of all others similarly situated), Richard White. (Lovell, Christopher) (Entered: 02/29/2012)
03/20/2012	<u>113</u>	REPLY MEMORANDUM OF LAW in Support re: <u>106</u> MOTION to Dismiss <i>with Prejudice the Third Consolidated Amended Complaint</i> ., <u>98</u> MOTION to Dismiss <i>with Prejudice the Third Consolidated Amended Complaint</i> .. Document filed by Lewis Bacon, Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP. (Zensky, David) (Entered: 03/20/2012)
03/21/2012	<u>114</u>	NOTICE OF REDESIGNATION TO ANOTHER MAGISTRATE JUDGE. The above entitled action has been redesignated to Magistrate Judge James C. Francis. Please note that this is a reassignment of the designation only. (pgu) (Entered: 03/21/2012)
03/22/2012	<u>115</u>	CASE MANAGEMENT ORDER NO. 2: Motions due by 9/7/2012. Responses due by 1/20/2012 Deposition due by 7/9/2013. Fact Discovery due by 3/11/2012. Expert Discovery due by 7/9/2012. Oral Argument set for 6/4/2012 at 12:00 PM before Judge William H. Pauley III. Final Pretrial Conference set for 8/13/2013 at 10:00 AM before Judge William H. Pauley III. Pretrial Order due by 8/9/2013. (Signed by Judge William H. Pauley, III on 3/22/2012) (js) (Entered: 03/23/2012)
03/22/2012		Set/Reset Deadlines: Expert Discovery due by 7/9/2013. Fact Discovery due by 3/11/2013. (js) (Entered: 03/27/2012)
04/04/2012	<u>116</u>	MOTION for James R. Hail to Appear Pro Hac Vice. Document filed by Russell W. Andrews, David W. DeVito, Frederick W. DeVito, Mary T. DeVito, F.W. DeVito, Inc., Greg Galen(Individually), Greg Galen(on behalf of all others similarly situated).(bwa) (arc). (Entered: 04/09/2012)
04/17/2012	<u>117</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION granting (116) Motion for James R. Hail to Appear Pro Hac Vice in case 1:10-cv-03617-WHP. (Signed by Judge William H. Pauley, III on 4/16/2012) Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-04630-WHP(rjm) (Entered: 04/17/2012)

04/24/2012		CASHIERS OFFICE REMARK on <u>116</u> Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 04/04/2012, Receipt Number 1034501. (jd) (Entered: 04/24/2012)
05/17/2012	<u>118</u>	SCHEDULING ORDER: The parties are directed to participate in a telephone conference with the Court on May 17, 2012 at 4:00 p.m. Telephone Conference set for 5/17/2012 at 04:00 PM before Judge William H. Pauley III. (Signed by Judge William H. Pauley, III on 5/16/2012) (laq) (Entered: 05/17/2012)
05/17/2012		Minute Entry for proceedings held before Judge William H. Pauley, III: Telephone Conference held on 5/17/2012. (js) (Entered: 06/20/2012)
05/22/2012	<u>119</u>	SCHEDULING ORDER: Counsel for the parties having participated in a teleconference with the Court on May 17, 2012, the following schedule is established on consent: (1) The parties are directed to submit a joint status report to the Court by June 28, 2012; and (2) Oral argument on Defendants' motions to dismiss is rescheduled to July 12, 2012 at 10:00 a.m. Oral Argument set for 7/12/2012 at 10:00 AM before Judge William H. Pauley III. (Signed by Judge William H. Pauley, III on 5/21/2012) Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP(rjm) (Entered: 05/22/2012)
07/09/2012		Minute Entry for proceedings held before Judge William H. Pauley, III: Telephone Conference held on 7/9/2012. (ja) (Entered: 09/06/2012)
07/11/2012	<u>120</u>	ORDER withdrawing <u>98</u> Motion to Dismiss; withdrawing <u>106</u> Motion to Dismiss. Counsel for the parties having participated in a teleconference with the Court on July 9, 2012, the following is established on consent: The pending motions to dismiss are withdrawn, and the Clerk of the Court is directed to terminate the motions pending at ECF Nos. 98 and 106; The oral argument scheduled for July 12, 2012 is canceled; The parties are directed to submit a joint status report to the Court by September 19, 2012; and The parties are directed to appear for a status conference on October 5, 2012 at 11 :00a.m. SO ORDERED. (Signed by Judge William H. Pauley, III on 7/10/2012) (ama) (Entered: 07/11/2012)
07/11/2012		Set/Reset Deadlines:, Set/Reset Hearings:(Status Conference set for 10/5/2012 at 11:00 AM before Judge William H. Pauley III.) (ama) (Entered: 07/11/2012)
08/23/2012	<u>121</u>	TRANSCRIPT of Proceedings re: confernce held on 7/9/2012 before Judge William H. Pauley, III. Court Reporter/Transcriber: Patricia Nilsen, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 9/17/2012. Redacted Transcript Deadline set for 9/27/2012. Release of Transcript Restriction set for 11/26/2012. Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP(McGuirk, Kelly) (Entered: 08/23/2012)
08/23/2012	<u>122</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERNCE proceeding held on 7/9/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days... Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP(McGuirk, Kelly) (Entered: 08/23/2012)
10/02/2012	<u>123</u>	SCHEDULING ORDER: The status conference scheduled for October 5, 2012 is rescheduled to November 2, 2012 at 10:00 a.m. Status Conference set for 11/2/2012 at 10:00 AM before Judge William H. Pauley III. (Signed by Judge William H. Pauley, III on 10/2/2012) (lmb) (Entered: 10/02/2012)
11/27/2012	<u>124</u>	SCHEDULING ORDER: The telephonic status conference is rescheduled to December 13, 2012 at 10:30a.m. Counsel should provide the Court with dial-in information prior to the teleconference. Status Conference set for 12/13/2012 at 10:30 AM before Judge William H. Pauley III. Telephone Conference set for

		12/13/2012 at 10:30 AM before Judge William H. Pauley III. (Signed by Judge William H. Pauley, III on 11/26/2012) (js) (Entered: 11/27/2012)
12/13/2012		Minute Entry for proceedings held before Judge William H. Pauley, III: Telephone Conference held on 12/13/2012. (mro) (Entered: 01/15/2013)
12/19/2012	<u>125</u>	SCHEDULING ORDER: Counsel for the parties having participated in a teleconference with the Court on December 13, 2012, the following schedule is established on consent: As set forth herein. SO ORDERED. Amended Pleadings due by 1/9/2013. Motions due by 2/14/2013. Responses due by 3/15/2013 Replies due by 3/29/2013. Oral Argument set for 4/26/2013 at 11:00 AM before Judge William H. Pauley III. (Signed by Judge William H. Pauley, III on 12/18/2012) Copies Mailed By Chambers. (ama) (Entered: 12/19/2012)
01/14/2013	<u>126</u>	ENDORSED LETTER: addressed to Judge William H. Pauley from Christopher Lovell dated 1/9/2013 re: Counsel for Plaintiffs write pursuant to Section 5 of Your Honor's Individual Practices and Paragraph 9 of the Confidentiality Stipulation and Protective Order (Docket No. 64) in order to respectfully request leave (a) to file under seal the enclosed under seal version of Plaintiffs' Fourth Amended Class Action Complaint ("Complaint") and (b) file in the public record the enclosed proposed redacted version of the Complaint. The proposed redactions are identical to those approved by Your Honor's order during the telephonic conference held on December 7, 2011 (i.e., only Exhibit A is redacted) except that Plaintiffs have additionally redacted information regarding certain employee compensation. See Complaint 289. The under seal and proposed redacted versions of the Complaint have been served on counsel for the Defendants. To any extent that Defendants seek to have additional allegations of the Complaint redacted, Plaintiffs will meet and confer with Defendants and will inform the Court in the event the parties are unable to resolve any differences they may have. ENDORSEMENT: Application granted. So Ordered. (Signed by Judge William H. Pauley, III on 1/14/2013) (js) (Entered: 01/14/2013)
01/18/2013	<u>127</u>	SEALED DOCUMENT placed in vault.(mps) (Entered: 01/18/2013)
02/07/2013	<u>128</u>	REVISED SCHEDULING ORDER: Motions due by 3/18/2013. Responses due by 4/15/2013. Replies due by 4/29/2013. Oral Argument set for 5/24/2013 at 11:00 AM before Judge William H. Pauley III. (Signed by Judge William H. Pauley, III on 2/7/2013) Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP(lmb) (Entered: 02/07/2013)
03/07/2013	<u>129</u>	REVISED SCHEDULING ORDER: The deadlines set forth in the Scheduling Order dated 2/7/2013 shall be extended as follows: Defendants shall serve and file their motion to dismiss by 5/2/2013. Plaintiffs shall serve and file their opposition by 5/30/2013. Defendants shall serve and file any reply by 6/13/2013. The Court will hear oral argument on 7/12/2013 at 11:30 a.m. (Signed by Judge William H. Pauley, III on 3/7/2013) (sac) (Entered: 03/07/2013)
04/26/2013	<u>130</u>	REVISED SCHEDULING ORDER: Defendants shall serve and file their motion to dismiss by 6/17/2013. Responses due by 7/15/2013; Replies due by 7/29/2013. Oral Argument set for 8/13/2013 at 10:00 AM before Judge William H. Pauley III. (Signed by Judge William H. Pauley, III on 4/26/2013) Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP(tro) (Entered: 04/26/2013)
06/13/2013	<u>131</u>	***VACATED pursuant to Scheduling Order filed on 8/13/13*** REVISED SCHEDULING ORDER: IT IS HEREBY ORDERED THAT the deadlines set forth in the Revised Scheduling Order dated April 26, 2013 shall be extended as follows: (1) Defendants shall serve and file their motion to dismiss by July 31, 2013; (2) Plaintiffs shall serve and file their opposition by August 30, 2013; (3) Defendants shall serve and file any reply by September 13, 2013; and (4) The Court will hear oral argument on October 4, 2013 at 2:00 p.m. (Motions due by 7/31/2013. Responses due by 8/30/2013. Replies due by 9/13/2013. Oral Argument set for 10/4/2013 at 02:00 PM before Judge William H. Pauley III.) (Signed by Judge William H. Pauley, III on 6/12/2013). Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP. Entry only in member cases as per

		Chambers. (rjm) Modified on 8/14/2013 (mro). (Entered: 06/13/2013)
07/23/2013	<u>132</u>	STIPULATION AND ORDER: IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, being counsel for all parties against whom the action has not been stayed, that Plaintiffs be and hereby are granted leave to file the attached Fifth Consolidated Amended Class Action Complaint. (Signed by Judge William H. Pauley, III on 7/22/2013) Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP(mro) (Entered: 07/23/2013)
07/29/2013	133	SEALED DOCUMENT placed in vault.(nm) Modified on 7/30/2013 (nm). (Entered: 07/30/2013)
08/13/2013	<u>134</u>	SCHEDULING ORDER: Because Plaintiffs have filed a Fifth Amended Complaint, this Court's Revised Scheduling Order dated June 13, 2013 is vacated. The Court will hold a pre-motion conference on August 21, 2013 at 10:00 a.m. to discuss the parties' proposed motion for preliminary approval of class settlement. (Pre-Motion Conference set for 8/21/2013 at 10:00 AM before Judge William H. Pauley III.) (Signed by Judge William H. Pauley, III on 8/13/2013) Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP(mro) (Entered: 08/14/2013)
08/20/2013	<u>135</u>	ENDORSED LETTER addressed to Judge William H. Pauley, III from Leanne A. Bortner dated 8/15/13 re: Counsel for the defendant writes to request leave to attend the pre-motion conference regarding the parties' proposed motion for preliminary approval of the class settlement on 8/21/13 at 10:00 am via telephone. ENDORSEMENT: Application granted. (Signed by Judge William H. Pauley, III on 8/20/2013) (mro) (Entered: 08/20/2013)
08/22/2013	<u>136</u>	SCHEDULING ORDER: Counsel for all parties having appeared for a conference on August 21, 2013, the following is established on consent: 1. The Futures Plaintiffs and Physical Plaintiffs will each file a motion for preliminary approval of their respective class settlements by September 18, 2013; 2. This Court will conduct a hearing on preliminary approval on October 4, 2013 at 2:30 p.m. (Motions due by 9/18/2013. Status Conference set for 10/4/2013 at 02:30 PM before Judge William H. Pauley III.) (Signed by Judge William H. Pauley, III on 8/22/2013) Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP(mro) (Entered: 08/22/2013)
09/03/2013	<u>137</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 8/21/2013 before Judge William H. Pauley, III. Court Reporter/Transcriber: Bridget Lombardozzi, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 9/27/2013. Redacted Transcript Deadline set for 10/7/2013. Release of Transcript Restriction set for 12/5/2013.(Rodriguez, Somari) (Entered: 09/03/2013)
09/03/2013	<u>138</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 8/21/13 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(Rodriguez, Somari) (Entered: 09/03/2013)
09/18/2013	<u>139</u>	MOTION for Settlement (<i>Preliminary Approval</i>). Document filed by Greg Galen(on behalf of all others similarly situated).(Lovell, Christopher) (Entered: 09/18/2013)
09/18/2013	<u>140</u>	MEMORANDUM OF LAW in Support re: <u>139</u> MOTION for Settlement (<i>Preliminary Approval</i>).. Document filed by Greg Galen(on behalf of all others similarly situated). (Lovell, Christopher) (Entered: 09/18/2013)

09/18/2013	<u>141</u>	DECLARATION of Christopher Lovell in Support re: <u>139</u> MOTION for Settlement (<i>Preliminary Approval</i>).. Document filed by Greg Galen(on behalf of all others similarly situated). (Attachments: # <u>1</u> Exhibit 1 Part 1 of 2, # <u>2</u> Exhibit 1 Part 2 of 2)(Lovell, Christopher) (Entered: 09/18/2013)
09/18/2013	<u>142</u>	CERTIFICATE OF SERVICE. Document filed by Greg Galen(on behalf of all others similarly situated). (Lovell, Christopher) (Entered: 09/18/2013)
09/18/2013	<u>143</u>	LETTER addressed to Judge William H. Pauley, III from Christopher Lovell dated 9/18/13 re: Courtesy Copies. Document filed by Greg Galen(on behalf of all others similarly situated).(Lovell, Christopher) (Entered: 09/18/2013)
09/18/2013	<u>144</u>	MOTION for Leave to File Excess Pages. Document filed by Russell W. Andrews, David W. DeVito, Frederick W. DeVito, Mary T. DeVito, F.W. DeVito, Inc.. (Attachments: # <u>1</u> Certificate of Service)(Lowther, John) (Entered: 09/18/2013)
09/18/2013	<u>145</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MOTION for Settlement <i>Preliminary Approval of Class Action Settlement</i> . Document filed by Russell W. Andrews, David W. DeVito, Frederick W. DeVito, Mary T. DeVito, F.W. DeVito, Inc.. (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Declaration of John A. Lowther, # <u>3</u> Exhibit A, # <u>4</u> Exhibit A–1, # <u>5</u> Exhibit A–2, # <u>6</u> Exhibit A–3, # <u>7</u> Exhibit A–4, # <u>8</u> Exhibit A–5, # <u>9</u> Exhibit A–6, # <u>10</u> Exhibit A–7, # <u>11</u> Exhibit A–8, # <u>12</u> Exhibit A–9, # <u>13</u> Exhibit B, # <u>14</u> Certificate of Service)(Lowther, John) Modified on 9/19/2013 (db). (Entered: 09/18/2013)
09/19/2013		***NOTE TO ATTORNEY TO RE–FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney John Allen Lowther to RE–FILE Document <u>145</u> MOTION for Settlement <i>Preliminary Approval of Class Action Settlement</i>. ERROR(S): Supporting Documents are filed separately, each receiving their own document #. (db) (Entered: 09/19/2013)
09/19/2013	<u>146</u>	MOTION for Settlement <i>Notice of Motion for Preliminary Approval of Class Action Settlement</i> . Document filed by Russell W. Andrews, David W. DeVito, Frederick W. DeVito, Mary T. DeVito, F.W. DeVito, Inc..(Lowther, John) (Entered: 09/19/2013)
09/19/2013	<u>147</u>	MEMORANDUM OF LAW in Support re: <u>146</u> MOTION for Settlement <i>Notice of Motion for Preliminary Approval of Class Action Settlement</i> .. Document filed by Russell W. Andrews, David W. DeVito, Frederick W. DeVito, Mary T. DeVito, F.W. DeVito, Inc.. (Lowther, John) (Entered: 09/19/2013)
09/19/2013	<u>148</u>	DECLARATION of John A. Lowther in Support re: <u>146</u> MOTION for Settlement <i>Notice of Motion for Preliminary Approval of Class Action Settlement</i> .. Document filed by Russell W. Andrews, David W. DeVito, Frederick W. DeVito, Mary T. DeVito, F.W. DeVito, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit A–1, # <u>3</u> Exhibit A–2, # <u>4</u> Exhibit A–3, # <u>5</u> Exhibit A–4, # <u>6</u> Exhibit A–5, # <u>7</u> Exhibit A–6, # <u>8</u> Exhibit A–7, # <u>9</u> Exhibit A–8, # <u>10</u> Exhibit A–9, # <u>11</u> Exhibit B)(Lowther, John) (Entered: 09/19/2013)
09/19/2013	<u>149</u>	CERTIFICATE OF SERVICE. Document filed by Russell W. Andrews, David W. DeVito, Frederick W. DeVito, Mary T. DeVito, F.W. DeVito, Inc.. (Lowther, John) (Entered: 09/19/2013)
09/23/2013	<u>150</u>	ORDER GRANTING PHYSICAL PLAINTIFFS' UNOPPOSED MOTION FOR PAGE EXTENSION. Pursuant to Chambers Rule III C and the Physical Plaintiffs' Unopposed Motion for Page Extension pertaining the preliminary approval briefing and with good cause appearing, the motion is GRANTED. Physical Plaintiffs' memoranda of law in support of their motion for preliminary approval [ECF No. 144] must not exceed 30 pages. Granting <u>144</u> Motion for Leave to File Excess Pages. (Signed by Judge William H. Pauley, III on 9/23/2013) (rjm) (Entered: 09/23/2013)
09/26/2013	<u>151</u>	NOTICE OF APPEARANCE by Kerriann Law on behalf of Christopher Pia. (Law, Kerriann) (Entered: 09/26/2013)
10/01/2013	<u>152</u>	MEMO ENDORSEMENT on NOTICE OF WITHDRAWAL OF COUNSEL. ENDORSEMENT: So ordered. (Signed by Judge William H. Pauley, III on 10/1/2013) Filed In Associated Cases: 1:10–cv–03617–WHP,

		1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP ***Docketed in all member cases only pursuant to instructions from Chambers. (mro) (Entered: 10/01/2013)
10/02/2013	<u>153</u>	ENDORSED LETTER addressed to Judge William H. Pauley, III from Leanne A. Bortner dated 10/1/13 re: Counsel writes to request leave to attend the 10/4/13 status conference via telephone. ENDORSEMENT: Application granted. (Signed by Judge William H. Pauley, III on 10/1/2013) (mro) (Entered: 10/02/2013)
10/11/2013	<u>154</u>	LETTER addressed to Judge William H. Pauley, III from Christopher Lovell dated 10/11/2013 re: Responses to questions asked at preliminary approval hearing. Document filed by Greg Galen(on behalf of all others similarly situated).(Lovell, Christopher) (Entered: 10/11/2013)
10/15/2013	<u>155</u>	LETTER addressed to Judge William H. Pauley, III from John A. Lowther dated 10/15/2013 re: Responses to questions asked at preliminary approval hearing. Document filed by Russell W. Andrews, David W. DeVito, Frederick W. DeVito, Mary T. DeVito, F.W. DeVito, Inc..(Lowther, John) (Entered: 10/15/2013)
10/18/2013	<u>156</u>	LETTER addressed to Judge William H. Pauley, III from Christopher Lovell dated 10/18/13 re: Plan of Allocation. Document filed by Greg Galen(on behalf of all others similarly situated).(Lovell, Christopher) (Entered: 10/18/2013)
10/21/2013	<u>157</u>	LETTER addressed to Judge William H. Pauley, III from Christopher Lovell dated 10/21/13 re: Withdrawing Plaintiff Gregory Galan as one of the proposed class representatives. Document filed by Greg Galen(on behalf of all others similarly situated).(Lovell, Christopher) (Entered: 10/22/2013)
10/25/2013	<u>158</u>	FIFTH AMENDED CONSOLIDATED COMPLAINT amending <u>86</u> Amended Complaint, against Louis Bacon, Eugene Burger, MF Global, Inc., Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP, Christopher Pia, Joseph Welsh, World Trade Futures, Inc., Alan Kleinstein, Dominick Terrone, John Sakulich, Frederick Ferriola, Richard Trifoglio, Peter Venus, Lauren Ladd, Joseph Hollschultz, Toni Celli, Anthony Monti, Steven Farrell, Rocky Esposito, Lawrence Favuzza with JURY DEMAND.Document filed by Mary T. DeVito, Frederick W. DeVito, David W. DeVito, Gregory Galan, Russell W. Andrews, F.W. DeVito, Inc., Richard White. (This document relates to all actions) Related document: <u>86</u> Amended Complaint, filed by David W. DeVito, Richard White, Mary T. DeVito, F.W. DeVito, Inc., Russell W. Andrews. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L)(lmb) Modified on 10/30/2013 (lmb). (Entered: 10/30/2013)
10/31/2013	<u>159</u>	TRANSCRIPT of Proceedings re: ARGUMENT held on 10/4/2013 before Judge William H. Pauley, III. Court Reporter/Transcriber: Samuel Mauro, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/25/2013. Redacted Transcript Deadline set for 12/5/2013. Release of Transcript Restriction set for 2/1/2014.(McGuirk, Kelly) (Entered: 10/31/2013)
10/31/2013	<u>160</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a ARGUMENT proceeding held on 10/4/13 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 10/31/2013)
03/18/2014	<u>161</u>	MOTION for Settlement. Document filed by Richard White.(Lovell, Christopher) (Entered: 03/18/2014)
03/18/2014	<u>162</u>	MEMORANDUM OF LAW in Support re: <u>161</u> MOTION for Settlement.. Document filed by Richard White. (Lovell, Christopher) (Entered: 03/18/2014)

03/18/2014	<u>163</u>	DECLARATION of Christopher McGrath in Support re: <u>161</u> MOTION for Settlement.. Document filed by Richard White. (Attachments: # <u>1</u> Exhibit 1)(Lovell, Christopher) (Entered: 03/18/2014)
03/18/2014	<u>164</u>	LETTER MOTION for Leave to File Excess Pages addressed to Judge William H. Pauley, III from Christopher Lovell dated 3/18/2014. Document filed by Richard White. (Attachments: # <u>1</u> Text of Proposed Order)(Lovell, Christopher) (Entered: 03/18/2014)
03/21/2014	<u>165</u>	MOTION for Leave to File Excess Pages. Document filed by Russell W. Andrews, David W. DeVito, Frederick W. DeVito, Mary T. DeVito, F.W. DeVito, Inc.. (Attachments: # <u>1</u> Certificate of Service)(Lowther, John) (Entered: 03/21/2014)
03/21/2014	<u>166</u>	MOTION for Settlement <i>Notice of Motion for Preliminary Approval of Amended Class Action Settlement</i> . Document filed by Russell W. Andrews, David W. DeVito, Frederick W. DeVito, Mary T. DeVito, F.W. DeVito, Inc..(Lowther, John) (Entered: 03/21/2014)
03/21/2014	<u>167</u>	MEMORANDUM OF LAW in Support re: <u>166</u> MOTION for Settlement <i>Notice of Motion for Preliminary Approval of Amended Class Action Settlement</i> .. Document filed by Russell W. Andrews, David W. DeVito, Frederick W. DeVito, Mary T. DeVito, F.W. DeVito, Inc.. (Lowther, John) (Entered: 03/21/2014)
03/21/2014	<u>168</u>	DECLARATION of John A. Lowther in Support re: <u>166</u> MOTION for Settlement <i>Notice of Motion for Preliminary Approval of Amended Class Action Settlement</i> .. Document filed by Russell W. Andrews, David W. DeVito, Frederick W. DeVito, Mary T. DeVito, F.W. DeVito, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit A-1, # <u>3</u> Exhibit A-2, # <u>4</u> Exhibit A-3, # <u>5</u> Exhibit A-4, # <u>6</u> Exhibit A-5, # <u>7</u> Exhibit A-6, # <u>8</u> Exhibit A-7, # <u>9</u> Exhibit A-8, # <u>10</u> Exhibit A-9, # <u>11</u> Exhibit B)(Lowther, John) (Entered: 03/21/2014)
03/21/2014	<u>169</u>	CERTIFICATE OF SERVICE. Document filed by Russell W. Andrews, David W. DeVito, Frederick W. DeVito, Mary T. DeVito, F.W. DeVito, Inc.. (Lowther, John) (Entered: 03/21/2014)
03/26/2014	<u>170</u>	ORDER GRANTING PHYSICAL PLAINTIFFS' UNOPPOSED MOTION FOR PAGE EXTENSION: granting <u>165</u> Motion for Leave to File Excess Pages. Pursuant to Chambers Rule III C and the Physical Plaintiffs' Unopposed Motion for Page Extension pertaining the preliminary approval briefing and with good cause appearing, the motion is GRANTED. Physical Plaintiffs' memoranda of law in support of their motion for preliminary approval [ECF No. 167] must not exceed 35 pages. (Signed by Judge William H. Pauley, III on 3/26/2014) (lmb) (Entered: 03/27/2014)
04/04/2014	<u>171</u>	NOTICE OF APPEARANCE by Andrew J Entwistle on behalf of Augustus International Master Fund L.P., Paradigm Global Fund I Ltd., Paradigm Equities Ltd., Paradigm Asia Fund Ltd.. (Entwistle, Andrew) (Entered: 04/04/2014)
04/04/2014	<u>172</u>	NOTICE OF APPEARANCE by Joshua Killion Porter on behalf of Augustus International Master Fund L.P., Paradigm Asia Fund Ltd., Paradigm Equities Ltd., Paradigm Global Fund I Ltd.. (Porter, Joshua) (Entered: 04/04/2014)
04/04/2014	<u>173</u>	FILING ERROR – DEFICIENT DOCKET ENTRY SEE <u>174</u> MOTION – MOTION to Intervene <i>Motion to Intervene and Limited Objection of the Lead Plaintiffs in the MF Global Inc. Commodity Customer Class Action to the Proposed Settlements in the Futures and Physical Actions</i> . Document filed by Augustus International Master Fund L.P., Paradigm Asia Fund Ltd., Paradigm Equities Ltd., Paradigm Global Fund I Ltd..(Entwistle, Andrew) Modified on 4/11/2014 (db). (Entered: 04/04/2014)
04/07/2014	<u>174</u>	MOTION to Intervene <i>Motion to Intervene and Limited Objection of the Lead Plaintiffs in the MF Global Inc. Commodity Customer Class Action to The Proposed Settlements in the Futures and Physical Actions</i> . Document filed by Augustus International Master Fund L.P., Paradigm Asia Fund Ltd., Paradigm Equities Ltd., Paradigm Global Fund I Ltd..(Entwistle, Andrew) (Entered: 04/07/2014)

04/07/2014	<u>175</u>	RESPONSE in Opposition to Motion re: <u>166</u> MOTION for Settlement <i>Notice of Motion for Preliminary Approval of Amended Class Action Settlement.</i> , <u>161</u> MOTION for Settlement. / <i>Limited Objection to Plaintiffs' Motion for Preliminary Approval of Proposed Settlement with Joseph Walsh.</i> Document filed by James W. Giddens, Trustee for MF Global Inc.. (Kobak, James) (Entered: 04/07/2014)
04/08/2014	<u>176</u>	NOTICE OF APPEARANCE by Vilia B. Hayes on behalf of James W. Giddens, Trustee for MF Global Inc.. (Hayes, Vilia) (Entered: 04/08/2014)
04/08/2014	<u>177</u>	NOTICE OF APPEARANCE by James Benedict Kobak, Jr on behalf of James W. Giddens, Trustee for MF Global Inc.. (Kobak, James) (Entered: 04/08/2014)
04/08/2014	<u>178</u>	NOTICE OF APPEARANCE by Dustin Philip Smith on behalf of James W. Giddens, Trustee for MF Global Inc.. (Smith, Dustin) (Entered: 04/08/2014)
04/09/2014	<u>179</u>	SCHEDULING ORDER: The plaintiffs in the consolidated class action against certain former officers, directors, and employees of MF Global Inc. having moved to intervene and object to the proposed settlements in these actions, this Court will hold a teleconference on April 24, 2014 at 10:30 a.m. to establish a briefing schedule for opposing the motion and to set a date for a hearing on preliminary approval of the proposed settlements. The parties are directed to provide the Court with dial-in information before the call. Telephone Conference set for 4/24/2014 at 10:30 AM before Judge William H. Pauley III. (Signed by Judge William H. Pauley, III on 4/9/2014) Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP(lmb) (Entered: 04/09/2014)
04/17/2014	<u>180</u>	REPLY MEMORANDUM OF LAW in Support re: <u>161</u> MOTION for Settlement.. Document filed by Richard White. (Lovell, Christopher) (Entered: 04/17/2014)
04/17/2014	<u>181</u>	LETTER addressed to Judge William H. Pauley, III from Christopher Lovell dated 4/17/2014 re: Reply Memorandum. Document filed by Richard White.(Lovell, Christopher) (Entered: 04/17/2014)
04/21/2014	<u>182</u>	FIRST MOTION to Intervene. Document filed by Susan Levy. (Attachments: # <u>1</u> Exhibit Class Action Proof of Claim, # <u>2</u> Exhibit Welsh Bankruptcy Settlement Agreement)(Levy, Susan) (Entered: 04/21/2014)
04/21/2014	<u>183</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – MOTION for Joinder <i>Physical Plaintiffs Joinder in Futures Plaintiffs Reply Memorandum In Further Support Of Motion For Preliminary Approval Of Amended Class Action Settlement.</i> Document filed by Russell W. Andrews, David W. DeVito, Frederick W. DeVito, Mary T. DeVito, F.W. DeVito, Inc. (Lowther, John) Modified on 4/22/2014 (db). (Entered: 04/21/2014)
04/22/2014		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR. Note to Attorney John Allen Lowther to RE-FILE Document <u>183</u> MOTION for Joinder <i>Physical Plaintiffs Joinder in Futures Plaintiffs Reply Memorandum In Further Support Of Motion For Preliminary Approval Of Amended Class Action Settlement.</i> Use the event type Joinder found under the event list Other Documents, then link to <u>180</u> Reply Memorandum. (db) (Entered: 04/22/2014)
04/22/2014	<u>184</u>	JOINDER to join re: <u>175</u> Response in Opposition to Motion, <i>Physical Plaintiffs Joinder in Futures Plaintiffs Reply Memorandum In Further Support Of Motion For Preliminary Approval Of Amended Class Action Settlement.</i> Document filed by Russell W. Andrews, David W. DeVito, Frederick W. DeVito, Mary T. DeVito, F.W. DeVito, Inc..(Lowther, John) (Entered: 04/22/2014)
04/23/2014	<u>185</u>	NOTICE OF APPEARANCE by Merrill G Davidoff on behalf of Kay P. Tee, LLC, Thomas G. Moran, Bearing Fund LP, PS Energy Group Inc. (Davidoff, Merrill) (Entered: 04/23/2014)
04/25/2014	<u>186</u>	SCHEDULING ORDER: As discussed in the teleconference held April 24, 2014, the following schedule is established on consent: 1. The parties will respond by May 8, 2014 to the outstanding motions to intervene and objections to the proposed settlement; 2. James W. Giddens, trustee for the liquidation of MF Global, Inc., may reply to the parties' response to his objection by May 8, 2014; 3. The

		<p>interveners may reply to the parties' responses by May 16, 2014; 4. This Court will hold a preliminary approval hearing on May 23, 2014 at 12:00 p.m. Responses due by 5/8/2014. Replies due by 5/16/2014. Status Conference set for 5/23/2014 at 12:00 PM before Judge William H. Pauley III. (Signed by Judge William H. Pauley, III on 4/25/2014) Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP(lmb) (Entered: 04/25/2014)</p>
05/01/2014	<u>187</u>	<p>TRANSCRIPT of Proceedings re: CONFERENCE held on 4/24/2014 before Judge William H. Pauley, III. Court Reporter/Transcriber: Alena Lynch, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 5/27/2014. Redacted Transcript Deadline set for 6/5/2014. Release of Transcript Restriction set for 8/4/2014.(Rodriguez, Somari) (Entered: 05/01/2014)</p>
05/01/2014	<u>188</u>	<p>NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 4/24/14 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(Rodriguez, Somari) (Entered: 05/01/2014)</p>
05/08/2014	<u>189</u>	<p>RESPONSE to Motion re: <u>182</u> FIRST MOTION to Intervene. <i>Defendants' response to Susan Levy's Opposition to preliminary approval and brief in further support thereof.</i> Document filed by Louis Bacon, Eugene Burger, Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP, Christopher Pia, Joseph Welsh. (Zensky, David) (Entered: 05/08/2014)</p>
05/08/2014	<u>190</u>	<p>DECLARATION of David Zensky re: <u>182</u> FIRST MOTION to Intervene. <i>Declaration of David Zensky in support of Defendants' response to Susan Levy's opposition to preliminary approval and brief in further support thereof.</i> Document filed by Louis Bacon, Eugene Burger, Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP, Christopher Pia, Joseph Welsh. (Zensky, David) (Entered: 05/08/2014)</p>
05/08/2014	<u>191</u>	<p>REPLY MEMORANDUM OF LAW in Support re: <u>166</u> MOTION for Settlement <i>Notice of Motion for Preliminary Approval of Amended Class Action Settlement. / Trustee's Response in Further Support of his Limited Objection to Plaintiffs' Motion for Preliminary Approval of Proposed Settlement with Joseph Welsh.</i> Document filed by James W. Giddens, Trustee for MF Global Inc.. (Kobak, James) (Entered: 05/08/2014)</p>
05/08/2014	<u>192</u>	<p>MEMORANDUM OF LAW in Opposition re: <u>174</u> MOTION to Intervene <i>Motion to Intervene and Limited Objection of the Lead Plaintiffs in the MF Global Inc. Commodity Customer Class Action to The Proposed Settlements in the Futures and Physical Actions. Defendants' Memorandum of Law in Opposition to Commodity Customers' Motion to Intervene and Limited Objection to Settlement.</i> Document filed by Louis Bacon, Eugene Burger, Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP, Christopher Pia, Joseph Welsh. (Zensky, David) (Entered: 05/08/2014)</p>
05/08/2014	<u>193</u>	<p>DECLARATION of Andrew C. Lourie in Opposition re: <u>174</u> MOTION to Intervene <i>Motion to Intervene and Limited Objection of the Lead Plaintiffs in the MF Global Inc. Commodity Customer Class Action to The Proposed Settlements in the Futures and Physical Actions..</i> Document filed by Louis Bacon, Eugene Burger, Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP, Christopher Pia, Joseph Welsh. (Zensky, David) (Entered: 05/08/2014)</p>

05/08/2014	<u>194</u>	MEMORANDUM OF LAW in Opposition re: <u>182</u> FIRST MOTION to Intervene. . Document filed by Richard White. (Attachments: # <u>1</u> Exhibit)(Lovell, Christopher) (Entered: 05/08/2014)
05/08/2014	<u>195</u>	MEMORANDUM OF LAW in Opposition re: <u>174</u> MOTION to Intervene <i>Motion to Intervene and Limited Objection of the Lead Plaintiffs in the MF Global Inc. Commodity Customer Class Action to The Proposed Settlements in the Futures and Physical Actions.</i> . Document filed by Richard White. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6)(Lovell, Christopher) (Entered: 05/08/2014)
05/09/2014	<u>196</u>	JOINDER to join re: <u>195</u> Memorandum of Law in Opposition to Motion, <i>to Commodity Customers' Motion to Intervene and Limited Objection to Settlement and in Further Support of Plaintiffs' Motion for Preliminary Approval of Settlement.</i> Document filed by Russell W. Andrews, David W. DeVito, Frederick W. DeVito, Mary T. DeVito.(Lowther, John) (Entered: 05/09/2014)
05/09/2014	<u>197</u>	MEMORANDUM OF LAW in Opposition re: <u>174</u> MOTION to Intervene <i>Motion to Intervene and Limited Objection of the Lead Plaintiffs in the MF Global Inc. Commodity Customer Class Action to The Proposed Settlements in the Futures and Physical Actions.</i> [Corrected Copy]. Document filed by Richard White. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6)(Lovell, Christopher) (Entered: 05/09/2014)
05/09/2014	<u>198</u>	LETTER addressed to Judge William H. Pauley, III from Christopher Lovell dated May 9, 2014 re: Courtesy Copies. Document filed by Richard White.(Lovell, Christopher) (Entered: 05/09/2014)
05/16/2014	<u>199</u>	REPLY to Response to Motion re: <u>182</u> FIRST MOTION to Intervene. . Document filed by Susan Levy. (Attachments: # <u>1</u> Exhibit Affidavit of Bruce Behrens)(Levy, Susan) (Entered: 05/16/2014)
05/16/2014	<u>200</u>	LETTER addressed to Judge William H. Pauley, III from Leanne A. Bortner dated May 16, 2014 re: Request To Attend May 23 Hearing By Telephone. Document filed by Joseph Welsh.(Bortner, Leanne) (Entered: 05/16/2014)
05/16/2014	<u>201</u>	REPLY MEMORANDUM OF LAW in Support re: <u>174</u> MOTION to Intervene <i>Motion to Intervene and Limited Objection of the Lead Plaintiffs in the MF Global Inc. Commodity Customer Class Action to The Proposed Settlements in the Futures and Physical Actions.</i> . Document filed by Augustus International Master Fund L.P., Bearing Fund LP, Kay P. Tee, LLC, Thomas G. Moran, PS Energy Group Inc, Paradigm Asia Fund Ltd., Paradigm Equities Ltd., Paradigm Global Fund I Ltd.. (Entwistle, Andrew) (Entered: 05/16/2014)
05/16/2014	<u>202</u>	LETTER addressed to Judge William H. Pauley, III from Christopher Lovell dated May 16, 2014 re: Proposed Sur-Reply. Document filed by Richard White. (Attachments: # <u>1</u> Exhibit)(Lovell, Christopher) (Entered: 05/16/2014)
05/19/2014	<u>203</u>	MEMO ENDORSEMENT on re: <u>200</u> Letter filed by Joseph Welsh. ENDORSEMENT: Application granted. (Signed by Judge William H. Pauley, III on 5/19/2014) (lmb) (Entered: 05/19/2014)
05/21/2014	<u>204</u>	MOTION for Michael Dell'Angelo to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-9698065. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Augustus International Master Fund L.P., Bearing Fund LP, Kay P. Tee, LLC, Thomas G. Moran, PS Energy Group Inc, Paradigm Asia Fund Ltd., Paradigm Equities Ltd., Paradigm Global Fund I Ltd., Mark Kennedy, Robert Marcin, Thomas S. Wacker, Summit Trust Company, Rogers Varner, Jr. (Attachments: # <u>1</u> Certificate of Good Standing, # <u>2</u> Text of Proposed Order)(Dell'Angelo, Michael) (Entered: 05/21/2014)
05/21/2014		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>204</u> MOTION for Michael Dell'Angelo to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-9698065. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bcu) (Entered: 05/21/2014)

05/23/2014	<u>205</u>	ORDER FOR ADMISSION PRO HAC VICE granting <u>204</u> Motion for Michael Dell'Angelo to Appear Pro Hac Vice. (Signed by Judge William H. Pauley, III on 5/23/2014) (ajs) (Entered: 05/23/2014)
05/23/2014	<u>206</u>	STIPULATION AND ORDER:IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, being counsel for all parties against whom the action has not been stayed, that Plaintiffs be and hereby are granted leave to file the attached Sixth Consolidated Amended Class Action Complaint. (Signed by Judge William H. Pauley, III on 5/23/2014) Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP(lmb) (Entered: 05/23/2014)
05/23/2014	<u>207</u>	MEMO ENDORSEMENT on re: <u>202</u> Letter filed by Richard White. ENDORSEMENT: Application granted. (Signed by Judge William H. Pauley, III on 5/23/2014) (lmb) (Entered: 05/23/2014)
06/05/2014	<u>208</u>	TRANSCRIPT of Proceedings re: ARGUMENT held on 5/23/2014 before Judge William H. Pauley, III. Court Reporter/Transcriber: Khristine Sellin, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 6/30/2014. Redacted Transcript Deadline set for 7/10/2014. Release of Transcript Restriction set for 9/8/2014.(Rodriguez, Somari) (Entered: 06/05/2014)
06/05/2014	<u>209</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a ARGUMENT proceeding held on 5/23/14 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(Rodriguez, Somari) (Entered: 06/05/2014)
06/30/2014	<u>210</u>	LETTER addressed to Judge William H. Pauley, III from Christopher Lovell dated June 30, 2014 re: Supplemental Authority. Document filed by Richard White. (Attachments: # <u>1</u> Exhibit Supplemental Authority)(Lovell, Christopher) (Entered: 06/30/2014)
07/15/2014	<u>211</u>	MEMORANDUM AND ORDER. The motions of the Customer Representatives and Susan Levy to intervene are denied, and the objections of MF Global, Inc. and Susan Levy are overruled. The motions of the Futures Plaintiffs and Physical Plaintiffs to preliminarily approve the amended settlements are granted, and the Futures Class and Physical Class are certified under Rule 23(b)(3). This Court will hold a fairness hearing on November 7, 2014 at 11:00 a.m. The Clerk of Court is directed to terminate the motions pending at Docket Numbers 161, 164, 166, 174, &182. This Court will enter proposed orders from the parties granting preliminary approval of the proposed settlements. Granting <u>161</u> Motion for Settlement; Terminating <u>164</u> Letter Motion for Leave to File Excess Pages; Granting <u>166</u> Motion for Settlement; Denying <u>174</u> Motion to Intervene; Denying <u>182</u> Motion to Intervene. (Signed by Judge William H. Pauley, III on 7/15/2014) (rjm) (Entered: 07/16/2014)
07/15/2014		Set/Reset Hearings: Fairness Hearing set for 11/7/2014 at 11:00 AM before Judge William H. Pauley III. (rjm) (Entered: 07/16/2014)
07/15/2014	<u>212</u>	ORDER PRELIMINARILY APPROVING PROPOSED SETTLEMENT, SCHEDULING HEARING FOR FINAL APPROVAL THEREOF, AND APPROVING THE PROPOSED FORM AND PROGRAM OF NOTICE TO THE CLASS: IT IS HEREBY ORDERED that: 1. Except for the terms defined herein, the Court adopts and incorporates the definitions in the Settlement Agreement for the purposes of this Order. 2. For purposes of settlement only, the Futures Class shall be preliminarily certified and maintained as a class action, pursuant to Rule 23 of the Federal Rule of Civil Procedure finding that the applicable provisions of Rule 23 of the Federal Rules of Civil Procedure have been satisfied as further set forth in this order. 3. The Court hereby reaffirms its appointment of Lovell Stewart Halebian Jacobson LLP as class counsel for the Futures Class, having determined that the requirements of Rule 23(g) of the Federal Rules of Civil Procedure are

		<p>fully satisfied by this appointment. 4. Plaintiffs Richard White, Harry Ploss and The Stuart Sugarman Trust are hereby appointed as representatives to the Futures Class. 5. A hearing will be held on November 7, 2014 at 11:00 a.m. in Courtroom 20B of this Courthouse before the undersigned, to consider the fairness, reasonableness, and adequacy of the Settlement Agreement as further set forth in this order. 10. The Court approves, in form and substance, the Class Notice as further set forth in this order. 12. All proceedings in the Futures Action, other than such proceedings as may be necessary to carry out the terms and conditions of the Settlement, are hereby stayed and suspended until further order of this Court. 13. Futures Class Counsel shall file their motions for payment of attorneys' fees and reimbursement of expenses and for final approval of the Settlement at least 30 days prior to the Fairness Hearing as further set forth in this order. 27. Pursuant to and in accordance with Local Civil Rule 67.1, the Clerk of the Court is directed to invest the sum of forty-eight million one hundred thousand dollars (\$48,100,000), which shall be paid by the Moore Defendants within fourteen (14) calendar days after this Scheduling Order is entered, into an interest bearing Court Registry Investment System ("CRIS") account. These funds shall only be withdrawn from such interest bearing CRIS account only pursuant to order of this Court in accordance with the terms of the Settlement. The Clerk of the Court is instructed to deduct, from any income earned on the foregoing investment, a fee equal to ten per cent (10%) of any income earned. 28. If any deadline imposed herein falls on a non-business day, then the deadline is extended until the next business day. (Signed by Judge William H. Pauley, III on 7/15/2014) (lmb) (Entered: 07/16/2014)</p>
07/15/2014	<u>213</u>	<p>ORDER PRELIMINARILY APPROVING PROPOSED SETTLEMENT, SCHEDULING HEARING FOR FINAL APPROVAL THEREOF, AND APPROVING THE PROPOSED FORM AND PROGRAM OF NOTICE TO THE CLASS: IT IS HEREBY ORDERED that: 1. Except for the terms defined herein, the Court adopts and incorporates the definitions in the Settlement Agreement for the purposes of this Order. 2. For purposes of settlement only, the Physical Class shall be preliminarily certified and maintained as a class action pursuant to Federal Rule of Civil Procedure 23, finding that the applicable provisions of Rule 23 have been satisfied as further set forth in this order. 3. The Court hereby appoints Doyle Lowther LLP as Physical Class Counsel, having determined Federal Rule of Civil Procedure 23(g) requirements are fully satisfied by this appointment. 4. Physical Plaintiffs F.W. DeVito, Inc. Retirement Plan Trust ("DeVito Trust"), Frederick and Mary DeVito, David W. DeVito and Russell W. Andrews are hereby appointed as representatives to the Physical Class. 5. A hearing will be held on November 7, 2014 at 11:00 a.m. in Courtroom 20B of this Courthouse before the undersigned, to consider the fairness, reasonableness and adequacy of the Settlement Agreement as further set forth in this order. 11. The Court approves, in form and substance, the Class Notice as further set forth in this order. 13. All proceedings in the Physical Action, other than such proceedings as may be necessary to effectuate the terms and conditions of the Settlement Agreement, are hereby stayed and suspended until further order of this Court. 14. Physical Class Counsel shall file their motions for payment of attorneys' fees and reimbursement of expenses and for final approval of the Settlement at least 30 days prior to the Fairness Hearing as further set forth in this order. 28. Pursuant to and in accordance with Local Civil Rule 67.1, the Clerk of the Court is directed to invest the sum of nine million two hundred five thousand dollars (\$9,205,000), which shall be paid by the Moore Defendants within fourteen (14) calendar days after this Scheduling Order is entered, into an interest bearing Court Registry Investment System ("CRIS") account. These funds shall be withdrawn from such interest bearing CRIS account only pursuant to order of this Court in accordance with the terms of the Settlement. The Clerk of the Court is instructed to deduct, from any income earned on the foregoing investment, a fee equal to ten percent (10%) of any income earned. 28. If any deadline imposed herein falls on a non-business day, then the deadline is extended until the next business day. (Signed by Judge William H. Pauley, III on 7/15/2014) (lmb) (Entered: 07/16/2014)</p>
07/25/2014	<u>214</u>	<p>LETTER addressed to Judge William H. Pauley, III from Nicholas C. Adams dated July 25, 2014 re: Settlement. Document filed by Louis Bacon, Eugene Burger, Moore Advisors, Ltd., Moore Capital Advisors, LLC, Moore Capital Management, LLC, Moore Capital Management, LP, Moore Global Fixed Income Master Fund, LP, Moore Macro Fund, LP, Christopher Pia, Joseph Welsh.(Adams, Nicholas)</p>

		(Entered: 07/25/2014)
07/31/2014		CASHIERS OFFICE CRIS DEPOSIT dated 7/15/14, from Judge Judge William H. Pauley, III, \$57,305,000.00 from PLATINUM AND PALLADIUM COMMODITIES LITIG. deposited on 7/25/14, Receipt Number 465401105,117-119 and placed into CRIS on 7/31/14. (dig) (Entered: 07/31/2014)
08/14/2014	<u>215</u>	FILING ERROR – NO ORDER SELECTED FOR APPEAL – FIRST NOTICE OF INTERLOCUTORY APPEAL. Document filed by Susan Levy. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP(Levy, Susan) Modified on 8/14/2014 (nd). (Entered: 08/14/2014)
08/14/2014		***NOTE TO ATTORNEY REGARDING DEFICIENT APPEAL. Note to Attorney Susan Levy to RE-FILE Document No. (51 in 1:10-cv-04630-WHP, 55 in 1:10-cv-04232-WHP, 54 in 1:10-cv-03634-WHP, 215 in 1:10-cv-03617-WHP, 50 in 1:10-cv-04273-WHP) Notice of Interlocutory Appeal,. The filing is deficient for the following reason: the Order being appealed was NOT selected. Re-file the document as a Corrected Notice of Appeal event and select the correct Order being appealed. Filed In Associated Cases: 1:10-cv-03617-WHP, 1:10-cv-03634-WHP, 1:10-cv-04232-WHP, 1:10-cv-04273-WHP, 1:10-cv-04630-WHP(nd) (Entered: 08/14/2014)
08/14/2014	<u>216</u>	FILING ERROR – NO ORDER SELECTED FOR APPEAL – FIRST CORRECTED NOTICE OF APPEAL. Document filed by Susan Levy. (Attachments: # <u>1</u> Exhibit July 15, 2014 Order)(Levy, Susan) Modified on 8/14/2014 (nd). (Entered: 08/14/2014)
08/14/2014		***NOTE TO ATTORNEY REGARDING DEFICIENT APPEAL. Note to Attorney Susan Levy to RE-FILE Document No. <u>216</u> Corrected Notice of Appeal. The filing is deficient for the following reason: the Order being appealed was NOT selected. Re-file the document as a Corrected Notice of Appeal event and select the correct Order being appealed. (nd) (Entered: 08/14/2014)
08/14/2014	<u>217</u>	SECOND CORRECTED NOTICE OF APPEAL re: <u>215</u> Notice of Interlocutory Appeal, <u>212</u> Order,,,,,, <u>213</u> Order,,,,,, <u>211</u> Order on Motion for Settlement, Order on Motion for Leave to File Excess Pages,, Order on Motion to Intervene,,,,,, Document filed by Susan Levy. (Attachments: # <u>1</u> Exhibit Order of July 15, 2014)(Levy, Susan) (Entered: 08/14/2014)
08/14/2014		Appeal Fee Due: for <u>217</u> Corrected Notice of Appeal,,\$505.00 Appeal fee due by 8/28/2014. (nd) (Entered: 08/15/2014)
08/15/2014		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>217</u> Corrected Notice of Appeal,. (nd) (Entered: 08/15/2014)
08/15/2014		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for <u>217</u> Corrected Notice of Appeal, filed by Susan Levy were transmitted to the U.S. Court of Appeals. (nd) (Entered: 08/15/2014)